



# City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor  
Floyd Petersen, Mayor pro tempore  
Robert Christman, Councilmember  
Stan Brauer, Councilmember  
Robert Ziprick, Councilmember

COUNCIL AGENDA: July 26, 2004

TO: City Council

VIA: Dennis R. Halloway, City Manager 

FROM: Deborah Woldruff, Community Development Director 

SUBJECT: GENERAL PLAN AMENDMENT (GP) NO. 04-01, ZONE CHANGE (ZC) NO. 04-01, TENTATIVE TRACT MAP 16730 (TT) NO. 04-01 & PRECISE PLAN OF DESIGN (PPD) NO. 04-03 – A REQUEST TO SUBDIVIDE 37.59 ACRES INTO 263 NEW SINGLE FAMILY LOTS WITH 8 LETTERED LOTS FOR PARKS AND OPEN SPACE. THE PROJECT IS LOCATED SOUTH OF MISSION ROAD, EAST OF THE PEPPER WAY AND THE EDISON EASEMENT AND WEST OF CALIFORNIA STREET.

## RECOMMENDATION

Staff recommends that the City Council make the following actions:

1. Adopt the Mitigated Negative Declaration (Attachment A);
2. Approve and adopt General Plan Amendment No. 04-01 (Attachment B) and Zone Change No. 04-01, based on the Findings;
3. Approve the Development Agreement (Attachment C); and,
4. Approve Tentative Tract Map No. 16730 (Attachment D) and Precise Plan of Design No. 04-03 based on the Findings, and subject to the attached Conditions of Approval (Attachment E).

## SUMMARY OF REQUEST

The project is a request to subdivide a 37.59 - acre property for the purpose of developing 263 single-family detached residences, three parks, and open space, which includes a trail system. The project requires a General Plan Amendment to change the General Plan designation from Mobile Home Subdivision to Mixed Use. The project area currently is not zoned, therefore the project includes a zone change to zone the project area Planned Community (PC). The project includes a Planned Community Document for the small lot subdivision proposal. The project includes the Precise Plan of Design for the product and site design of the single-family residences and the related amenities of the project site. A development agreement between the City and the applicant is included as part of the project to assist in the production of future

affordable housing throughout the City. A detailed discussion of the existing setting for the project is contained in Section 1.1 of the Initial Study (Attachment A)

## **BACKGROUND**

On July 7, 2004, the Planning Commission reviewed the project and forwarded it to the City Council with a recommendation for approval. A copy of the Planning Commission Staff Report and draft minutes from July 7, 2004, is included as Attachment F. The Planning Commission modified and added to the conditions of approval to address concerns that were discussed at the July 7, 2004, Planning Commission meeting.

The project is located within the Mission Historic District Overlay Zone. The City has adopted an ordinance that requires any development within the District conform to a strict set of city-adopted development/design standards, which are intended to preserve and enhance the historic character of the area. Historically, the project area has been used for agricultural purposes consisting mostly of citrus groves. The entire citrus orchard has been removed. However, a portion of the site is used to grow melons as a temporary use.

The project area is adjacent to two homes on along the south side of Mission Road. The residences will remain under private ownership and are not part of the development. The proposed design of the tract and the residences has been designed according to the "Livable Community" concepts and the objectives of the Mission Historic District Overlay Ordinance. The proposed site plan is designed to integrate the existing homes into the layout of the lots by providing wider lots along Mission Road. This is consistent with the Mission Historic District Overlay Ordinance.

The project was submitted to the Historical Commission for their review and approval of a Certificate of Appropriateness due to the project being located in the Mission Historic Overlay District. The Historical Commission approved the Certificate of Appropriateness on May 3, 2004.

## **ANALYSIS**

### **Project Description and Site Design**

The applicant has incorporated "Neo-Traditional" and "Livable Communities" concepts into the project design that include smaller residential lots and narrow interior streets. The proposed subdivision, which creates 263 new single-family lots, has a gross density of 6.7 dwelling units per acre. This proposed density is within Medium Density designation of the Draft General Plan for this area, which is 5.1 to 9 dwelling units per acre. The average lot size is approximately 3,675 square feet. The lot sizes along Mission Road range from approximately 9,000 to 13,493 square feet. The lot width of the Mission Road lots range from 90 to 104 feet. The interior lot sizes range from approximately 2,800 to 4,789 square feet.

The layout of the project is similar to the Mission Trails, the development to the west (Tract No. 16341). There are both alley loaded and front-loaded lots. The development has three access

points from Mission Road and connects to the Mission Trails development to the west through Paxton Place. The street widths are similar to Mission Trails, however, the alley width has been increased an additional two feet. The concept of this development was to integrate with the development to the west by providing similar layout and connectivity of streets and trails.

Three public parks are proposed which are located on each side of the development and one in the center. The one-acre central park provides a focal point at the main entrance to the tract, which is accessed from Mission Road. The main entryway will have a center median for two block lengths. The design of the central park and median includes a water feature, that is intended to simulate a water canal similar to the historic Zanja canal within the Mission Road Historic Overlay District. In addition to the water feature a gazebo, picnic areas, tot lot and seating areas are proposed amongst the many proposed trees.

The two additional parks provide active park uses with a variety of amenities. The one-acre westerly park includes a tennis court, two half-court basketball courts, a tot lot, and seating and picnic areas. The 1½-acre easterly park provides a putting green, sand volleyball court, a tot lot, and picnic and seating areas. Page LC-7 (Attachment G), includes optional design includes guest parking adjacent to the parks, which could reduce the amount of on-street parking for individuals who drive to the parks. In addition to the three proposed parks, the project includes additional open space which totals approximately 1½-acres. Approximately a half-acre of this open space is divided into six lettered lots, scattered throughout the development, typically on corners, which provides landscaped passive park/open space. The parks, open space, and trails will be maintained by the Homeowner's Association. The total amount of proposed park and open space complies with the General Plan policy of 5-acres per 1,000 residents.

In addition to the parks and open space, a trail system has been incorporated into the site, which connects the parks, and open space and also connects the tract to existing trail systems beyond the tract boundaries. A last minute proposal to the Planning Commission included providing a pedestrian bridge over the San Timoteo Channel to connect to the existing trail system. A bridge is planned to be installed across the San Timoteo Channel near the Edison Easement. However, this additional bridge would provide additional linkage to the regional trail system. Staff would recommend that if the pedestrian bridge concept is accepted with this project, that a condition of approval be added to require the bridge.

Within the open space areas of the tract, the applicant has provided a conceptual plan to provide for additional parking spaces for guests. The Planning Commission evaluated all the proposed locations and determined that the parking proposed in the open space areas on the eastern portion of the tract would help elevate any parking deficiencies of the homes that front onto the park areas. The Planning Commission determined that removing park space or open space for additional parking spaces in other areas of the tract was not necessary.

The narrower streets, medians, and street layout should provide some traffic calming for the development. The proposed street widths are indicative of the "Livable Communities" concepts, which have been endorsed by the Planning Commission. The PC Zoning allows for the creation of unique and creative design standards, which provides flexibility to include attributes common

in "Livable Communities." Narrower streets are common in "Livable Communities" and the flexibility of the PC zone is exhibited in the proposed street design.

### **Precise Plan Of Design (PPD)**

#### *House Design*

There are three housing products, which include the front loaded product, alley loaded product and the homes fronting Mission Road. There are three plans within each of the front and alley loaded products and two plans within the Mission Road product.

All eight plans include unique architectural styles, which are modern adaptations of amenities found in traditional styles of architecture historic to the area. Each plan has an "American Farmhouse" style, and a "Craftsman/Bungalow" style. The third style has Spanish influences and range from "Early Californian", "Spanish Colonial", "Monterey", and "Santa Barbara." The proposed designs have similar elements of each style, but are not intended to be exact replicas of the traditional style. They are intended to be contemporary homes with a traditional character.

Each plan offers several options, which can increase the number of rooms and/or bedrooms. The plans offer a variety of home sizes that include three and four bedrooms. The houses range from 1,800 to 3,060 square feet. All the residences are two story, except for one of the plans on Mission Road. There are 18 Mission Road residences, 117 front-loaded plans, and 128 alley loaded plans.

Each of the three styles has five color and material schemes. Wood, stone, brick and stucco proposed to be applied to the exterior walls. The Spanish style homes also have decorative tiles that will enhance the elevations. The roof materials are composition shingle, clay tile, and concrete tile. The color palette of the roof materials vary from dark grey, light and dark browns, and shades of terracotta which are appropriate for all the proposed styles.

#### *Landscape Design*

The proposed landscape plans illustrates small trees, shrubs and ground cover adjacent to the alleys; street trees and parkway landscaping, and planting and amenities within common areas including the parks. In addition to the proposed plantings, fence, wall, arbor, entry monuments and mailbox kiosk designs are proposed which are consistent with the design of the tract and the Mission Road Historic character. The proposal includes vinyl fencing which simulates wood fencing, but is much more durable and will maintain a quality appearance over time.

The developer will be required to landscape the front yard, parkway, exterior side yard and rear yard area in front of the fence adjacent to an alley. All lettered lots, which includes, common areas, parks, trails, and Landscape Maintenance District (LMD) areas shall also be landscaped by the developer and maintained by the Homeowner's Association (HOA).



Each house will have a street tree in the front yard and/or parkway. A landscape plan that identifies the landscape details for the front yards, exterior side yards, and areas outside the enclosed fences adjacent to the alley will be provided to the Community Development Department for review and approval prior to issuance of building permits.

### **Evaluation**

A variety of architectural styles are proposed which enhances the overall character of the neighborhood by creating variety and visual interest of each house. The proposed styles are similar to the types of homes historically built in the area and compatible with the Mission Historic District Overlay Zone. The styles of the homes are carried out on all four sides of each residence. The proposal includes tree-lined streets, parks and trails which provide connectivity throughout the project.

The proposed architectural styles, varieties of eight different plans, and the sensitivity to the style and design of the homes on Mission Road provide a quality development that provides character and interest to the area. Placing the larger size homes that have unique designs with traditional styles helps maintain the rural character of Mission Road by providing an estate like appearance. A wider house plan with the proposed styles, make these homes more visually appealing and closer to the quality of custom homes.

The plans include a wrap around porch for one of the alley-loaded plans and a side entrances for one of the front entry plans. If these lots are plotted on corner lots the issue of side loaded lots should be addressed. All the homes have garages set back from the house or porch and some of these are alley-loaded garages. This allows the porch to become the dominant feature of the house rather than the garage. The four-sided architecture has been addressed by providing window surrounds and enhancements, including some of the accent materials, on the sides and rear elevations of the residences.

Staff is pleased with overall design of the proposed map and plans. The Planning Commission implemented recommendations made by staff to improve the project which pertains to the color palette, placement of the plan types next to each other, and requiring the wrap around porch and side entry on all corner lots.

### **General Plan Text And Map And Official Zoning Map Amendments**

The project includes a request to amend the General Plan Text and Map from Mobil Home Subdivision to Mixed Use, and the official Zoning Map from no zoning to Planned Community (PC).

The proposed land use designation and zoning is not anticipated to result in any land use impacts to the surrounding area. The Mixed Use General Plan designation is included in the Draft Preferred Alternative Land Use Map for the current General Plan Update. The area south of Redlands Boulevard, west of California Street, east of the Southern California Edison utility easement and north of Barton Road and the San Timoteo Creek has been preliminarily designated as Mixed Use by the Planning Commission and City Council for the purpose of

identifying a preferred alternative land use plan for the General Plan update process. The intent of the Mixed Use designation is to allow for a variety of uses such as residential, commercial, institutional and light industrial and require a Planned Community or Specific Plan Zoning regulation to specify the approved uses and development standards for each planning area. The proposed Planned Community zoning designation would limit this area to residential use and ancillary amenities that would support a residential tract, such as recreational facilities, parks, and trails.

### **Development Agreement**

The proposed project is located in the Redevelopment Project Area. As a result, affordable housing is required of the builder. The option is to provide fifteen percent of the units as affordable or to pay an in-lieu fee to assist in the production of future, affordable housing units throughout the City. The applicant has chosen the option to pay the in-lieu fee (see Attachment C).

### **COMMENTS**

The Public Safety Department has reviewed the proposed map and provided additional conditions of approval to compensate for the narrower streets and alleys. The conditions include additional fire sprinkler requirements for the residences. The proposed width is adequate to allow for emergency vehicles and apparatus. No parking will be permitted in the alleys and on the main entry street "J".

Public Works Department has reviewed the Traffic Impact Analysis prepared by Meyer, Mohaddes Associates, Inc. and concurs with the recommended mitigation measures, which includes contributing to the fair share costs associated with the installation of a traffic signal at the intersection of Mountain View Avenue and Mission Road to improve the traffic congestion under peak hours. This intersection was identified in the Traffic Impact Analysis as having a cumulative impact during peak hours due to the existing traffic and the addition of the project traffic and future traffic from development proposed in the general vicinity. This would improve the intersection traffic from a level of service D and F to a level of service B and C during peak hours.

In response to the routing for this project, the City received the following comment from outside agency:

- City of Redlands - The letter stated that they were concerned about traffic impacts particularly to California Avenue and the interchange of the I-10 freeway. The City's Public Works Department evaluated the trips generated by the project and the capacity of the adjacent street system and determined that the traffic impact analysis did not warrant further review for the area of concern identified by the City of Redlands. (A discussion of the traffic impacts is included in the Initial Study).

After approving the Certificate of Appropriateness for the project, the Historical Commission recommended to the Planning Commission and City Council that the density of the project and

density of future projects in the area be reduced. This would mean a change in the draft General Plan land use designation since this project complies with the range of density in the draft General Plan.

At the Planning Commission meeting the following letters were submitted in opposition to the project. The main objection to the project is the proposed density, which is felt to be too high. Copies of these letters are attached (Attachment G) for your review:

- Donna Stocker, 26234 Mission Road
- Petition Letter (12 pages)
- Bert & Evelyn Connell, 25432 Orange Crest Way
- Lawrence Family, 26430 Margarita Lane

Copies of all public comments are maintained in the file for Tentative Tract Map No. 16730.

### CONCLUSION

The proposed Tentative Tract Map <sup>No.</sup> 16730 conforms to the City's Subdivision regulations and the "Planned Community" (PC) zoning standards. The General Plan Text and Map amendment from "Mobile Home Subdivision" to "Mixed Use" and the zone change to "Planned Community" (PC) allows the flexibility to develop a variety of single-family residential communities that can be master planned for the proposed project site. The proposed subdivision is sensitive to the historical significance of the area and compatible with the residential neighborhoods to the west. The granting of this General Plan Amendment, Zone Change and Tentative Tract Map and Precise Plan of Design would not be detrimental to the public welfare or injurious to the properties in the vicinity.

All elements of project are consistent with the existing General Plan and appear to be consistent with the Draft Preferred Land Use Alternative prepared for the City's Comprehensive General Plan Update Project. The proposed house designs for the eight design types are tailored to the site and environment and will be compatible with the surrounding neighborhood.

The two styles of homes fronting Mission Road provide a custom estate home appearance and maintains the rural character of Mission Road. The lot width dimensions are consistent with the policies suggested in the Mission Road Historic District Report. The lots along Mission Road are accessed by a rear alley and will not have vehicular access from Mission Road. The length of the lots allow for large front yard setbacks which will create a buffer along Mission Road and adhere to maintaining a rural character.

The Mitigation Measures listed in the Initial Study (Attachment A) will minimize the potential environmental impacts and are the responsibility of the subdivider. They have been made part of the Conditions of Approval (Attachment E).

## **ENVIRONMENTAL**

On May 21, 2004, a Notice of Intent (NOI) to Adopt a Negative Declaration and Initial Study (Attachment A) were prepared and issued for public review. The mandatory CEQA 20-day public review began on May 21, 2004 and ends on June 9, 2004. The Initial Study evaluates potential impact categories and appropriate mitigation measures. Any potential impacts can be mitigated to a level of insignificance and mitigation measures have been included as conditions of approval (Attachment E). Therefore, the project can be approved with a Mitigated Negative Declaration in accordance with the requirements of CEQA.

## **FINANCIAL IMPACT**

The amount of revenue that the project will bring to the City from Development Impact fees is currently estimated to be in excess of \$ 917,304. In addition, the project will be subject to Plan Check fees, Building Permit fees, Grading Permit fees, and Fire Plan Check/Inspection fees.

The project site is located in a Redevelopment Project Area and as such, the project is required to provide affordable housing. The applicant and the City of Loma Linda will enter into a Development Agreement to assist in the production of future, affordable housing units throughout the City. An in lieu fee in the amount of \$ 1,497,522 will be paid to the City as a requirement of the Development Agreement.

Respectfully Submitted,



Lori Lamson  
Senior Planner

## **ATTACHMENTS**

- A. Negative Declaration (NOI/Initial Study)
- B. General Plan Amendment
- C. Development Agreement
- D. Tentative Tract Map
- E. Conditions of Approval
- F. Planning Commission Staff Report and Draft Minutes 7-7-04 meeting
- G. Letters Regarding Proposed Project
- H. Planned Community Document
- I. Proposed Plans

# **Attachment A**

**Negative Declaration  
(Notice of Intent/Initial Study)**

**INITIAL STUDY  
FOR  
AMERICAN PACIFIC HOMES  
TENTATIVE TRACT MAP 16730  
LOMA LINDA, CALIFORNIA**

**Prepared for:**

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Contact: Mr. Kent Norton, AICP, REA  
Director of Environmental Services



May 2004

**Reviewed by:**

Independently reviewed, analyzed and exercised judgment in making the determination by the Community Development Department and other City Departments on May 20, 2004, pursuant to Section 21082 of the California Environmental Quality Act (CEQA)

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## **1.0 INTRODUCTION**

### **1.1 PROJECT DESCRIPTION**

American Pacific Homes proposes to build up to 263 detached single-family residential homes on approximately 35 acres of land (Tentative Tract Map 16730) within the City of Loma Linda (City) in San Bernardino County. The City is located approximately 5 miles south of downtown San Bernardino. Regional access to the City is provided by the Interstate 10 (I-10) and the Riverside Freeway (I-215). The project site is located in an unsectioned portion of Township 1 South, Range 3 West of the USGS 7.5' Redlands Quad. Exhibit 1 shows the regional location.

More specifically, the development site is located within the Mission Historic District in the northeastern portion of the City of Loma Linda. The Mission Historic District is bounded by Mission Road on the north, California Street on the east, Redlands Boulevard on the south, and Mountain View Avenue on the west. Historically, this area was predominantly used for citrus groves and ranch houses. The citrus orchards were subdivided and sold in the late 1980s for real estate development. Over time, most of the orchards have been removed and the land has been routinely disced for weed control. Small portions of the idle properties remain in use for very limited crop production. The proposed project is located south of Mission Road and west of California Street on former citrus orchard lands. Approximately 10 acres of the property is currently planted with melons. A few residences and vacant lands lie to the east, west and north of the project. San Timoteo Creek, currently a concrete-lined flood control channel, and Barton Road are located at the southern property boundary. The Mission Road area is in transition from idle agricultural lands to residential and mixed uses.

The proposed project has a medium density of approximately seven dwelling units per acre. For properties along Mission Road, 12 single-family homes with rear-loading garages and large front yards facing the street will be constructed on approximately 9,000-square-foot lots. Within the development, an estimated 125 detached single-family residences with front-loading garages will be constructed on approximately 3,200-square-foot lots. An additional 125 detached single-family residences with rear-loading garages will be constructed on approximately 2,880-square-foot lots. In all, a total of about 263 homes will be constructed as part of this project. The project will also include approximately 4.5 acres of open space and neighborhood parks. The project will be accessed from Mission Road at three separate entry points. The development will connect to an existing storm drain system, located on Mission Road, to manage runoff from the development.

### **1.2 PROJECT BACKGROUND**

The City of Loma Linda has a rich architectural and historical legacy, extending back to the Spanish Mission Period. The importance of the Mission Road area as part of the local and regional history has long been recognized. Its complex history began in prehistoric times and continued to be a key

influence through the Spanish Mission Period, Mexican Rancho Period and the American Transition Period. The area around Mission Road was home to many of the area's original pioneer families and served as an agricultural center for the early citrus industry. The Mission Road area has been identified by the City of Loma Linda as an area of potentially significant historical and cultural resources, and includes the first permanent structure, the Guachama Rancheria, in San Bernardino County. This proposed historical overlay zone is host to several architectural styles, including excellent examples of "Victorian" and Craftsman-style and adobe homes. It is considered to be a potentially rich source of cultural, architectural, and historical artifacts. The proposed project will lie within the Mission Historic District Overlay. The Mission Historic District Overlay Zone is generally bounded by Mountain View Avenue to the west, San Timoteo Creek on the south, and the eastern City Boundary, and Redlands Boulevard to the north.

A records search for known cultural sites identified 33 sites within 1 mile of the project. Two National Register listed properties, one National Register eligible property, three California Historic Landmarks and three California Points of Historic Interest were noted within ½ mile of the project site, in addition to other recorded but less significant resources. None of the resources identified in the cultural resources search are located within or adjacent to the proposed project. Table 1 identifies the significant cultural resources located within ½ mile of the project site.

**TABLE 1  
KNOWN SIGNIFICANT CULTURAL SITES  
LOCATED WITHIN ONE-HALF MILE OF THE PROJECT SITE**

Site Number	Site Description
CA-SBR-10565/H CPHI-28	Frink Adobe
CA-SBR-2311/H CHL-95	Guachama Rancheria
CA-SBR-8092/H CHL-43 NRHP-L-77-329	Mill Creek <i>Zanja</i> , original route (National Register listed)
CHL-42 SBR-2307/H	The "Rancho San Bernardino Asistencia"
CHPI-21 PSBR-1H	Old San Bernardino (LA-Sonora) Road (also known as "Cottonwood Row")
CHPI-3 P1063-15H	Van Leuven House and associated orange grove
NRHP-E-78-2369	The "White House"
NRHP-L-96-1176	The "Barton Villa"

The records were obtained from the San Bernardino Archaeological Information Center (SBAIC) of the California Historic Resources Information System, which maintains documentation of locations with potential historic or archaeological resources that have not yet been formally recorded as archaeological sites.

The Guachama Ranchería was once located approximately 1 mile northwest of the project site. Because the ranchería was wholly destroyed by 1875, little is known about it except that Cahuilla and Serrano Indians once lived there. The ranchería is the subject of speculation as to its exact location and size, but it is unlikely that any buried features directly associated with this resource are located within the proposed project area.

Remnants of the Old San Bernardino Road may be located directly beneath the surface of the existing Mission Road. The Redlands-San Bernardino Motor Line was once located due south and adjacent to Mission Road. Remnants of the railroad right-of-way may have been located near the ditch that separates Mission Road with the northern boundary of the project property. Previous monitoring adjacent to and northwest of the project area failed to find this cultural resource.

The Mission Historic District is an area of local interest to the City of Loma Linda Historical Commission. The City Council has required by ordinance that any development within the District conform to a strict set of city-adopted design standards, which are expected to enhance the historic character of the area. Potential impacts to cultural resources identified and proposed mitigations for their preservation are discussed in Section 2 under Cultural Resources (Subsection V).

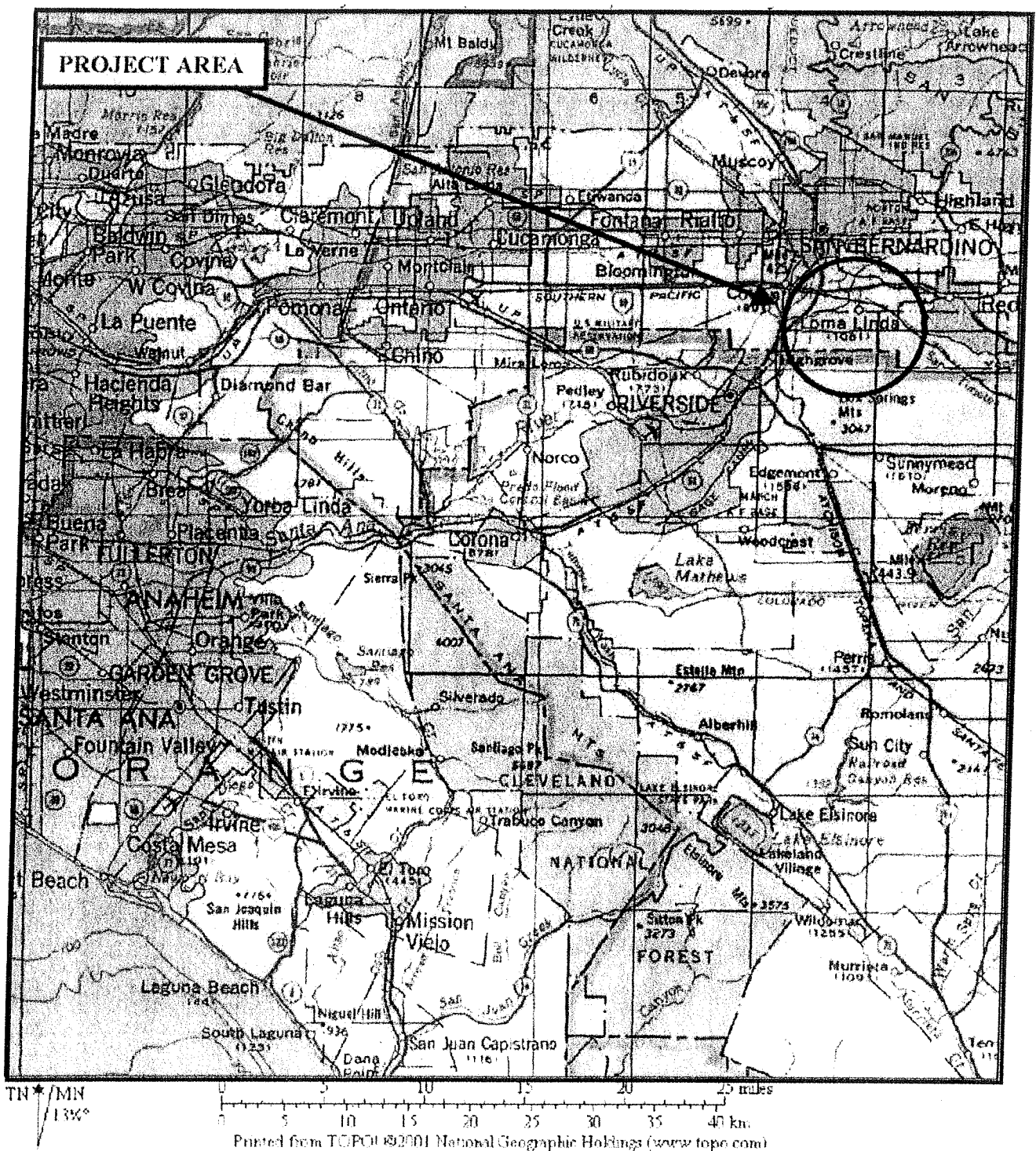
### 1.3 SURROUNDING LAND USES

Previously, the project area has been used for agricultural purposes consisting mostly of citrus groves. During the past two decades, the citrus orchard have been removed from the project site, with only small portions of the site currently being used for crop production. Single-family residences and open space are located immediately north of the proposed project site. Surrounding land uses include open space and proposed multi-family housing to the east; a flood control channel and Barton Road to the south; single-family residences, open space, and orchards to the north; and a new single-family housing development to the west (Table 2).

**TABLE 2  
EXISTING LAND USE**

	Existing Land Use	General Plan	Zoning
Site	Vacant, agriculture, single-family residences	Residential	Medium density residential
North	Single-family residences & open space	Low density (1-4 dwelling units/acre)	Single-family residential
South	Flood control channel, Barton Road right-of-way	Neighborhood Specialized Community	Commercial and manufacturing,
East	Proposed multi-family apartments & open space	Medium density, community park, mobile home subdivision	Single-family residence
West	Single family housing development under construction	Low and medium density, institutional	Single-family residence

The City of Loma Linda General Plan Land Use Element Map (1997) indicates that the project area is designated residential mobile home subdivisions. Surrounding amenities and land uses include a proposed riding and hiking trail within an existing utility corridor to the west of the project site, existing medium density housing west of the utility corridor, and proposed mixed use neo-traditional developments to the north.



SOURCE: Topo! @National Geographic Holdings



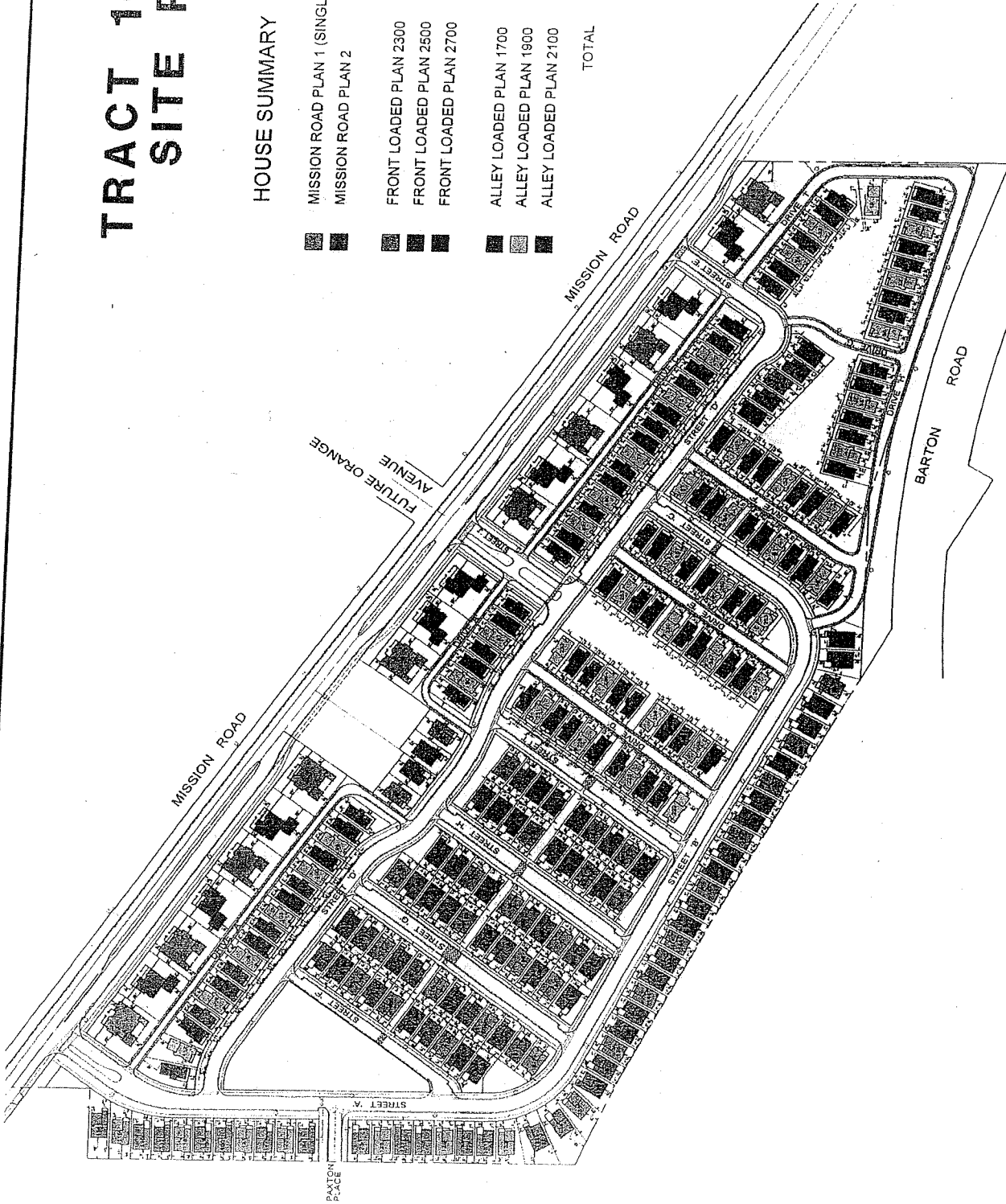
Michael Brandman Associates

Exhibit 1  
Vicinity Map

# TRACT 16730 SITE PLAN

## HOUSE SUMMARY

MISSION ROAD PLAN 1 (SINGLE STORY)	9
MISSION ROAD PLAN 2	9
FRONT LOADED PLAN 2300	39
FRONT LOADED PLAN 2500	39
FRONT LOADED PLAN 2700	39
ALLEY LOADED PLAN 1700	43
ALLEY LOADED PLAN 1900	43
ALLEY LOADED PLAN 2100	42
TOTAL	263

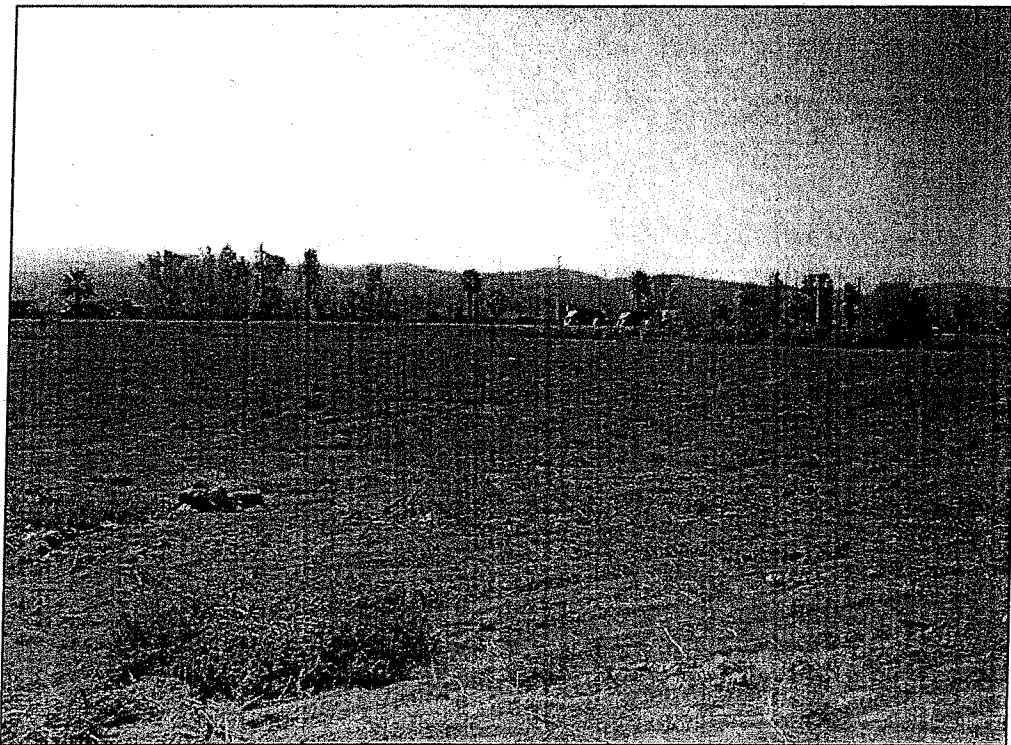


SCALE: 1" = 40'

	<b>Goodman &amp; Associates</b> PLANNERS & ARCHITECTS 1000 S. 10TH AVE., SUITE 100 LOMA LINDA, CA 92350 TEL: (909) 261-1111 FAX: (909) 261-1112	TRACT NO. 16730 - SITE PLAN SCALE: 1" = 60' SHEET 1 OF 1 DATE: 11/11/93
	MISSION CREEK CITY OF LOMA LINDA	

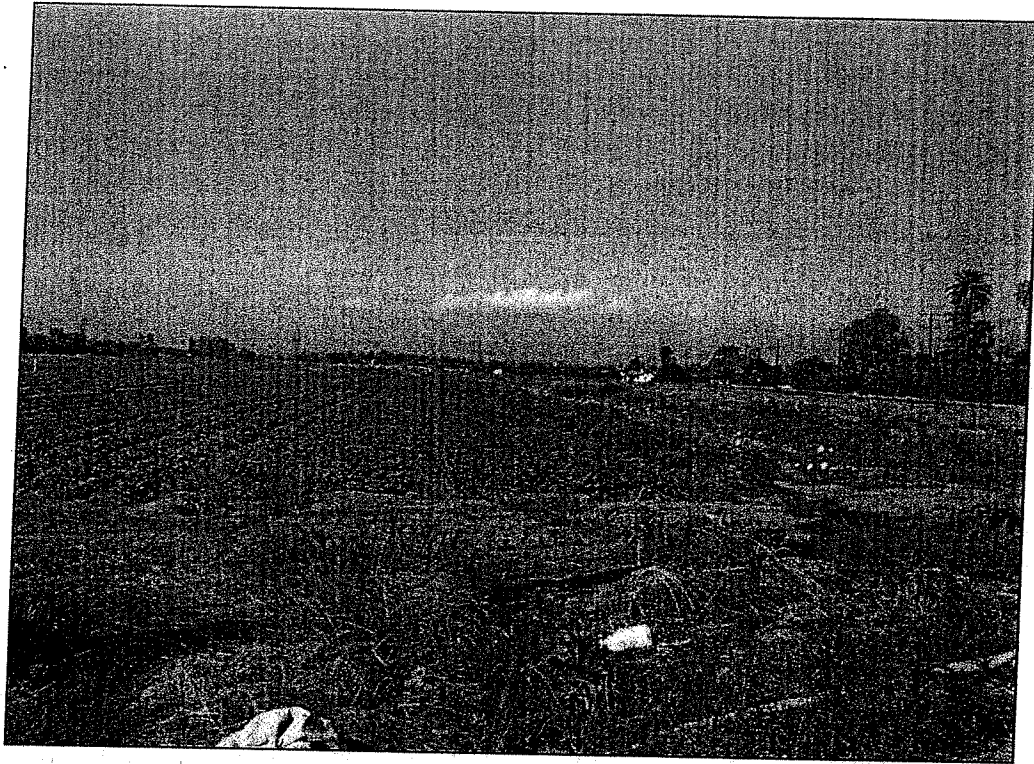


**Photo 1.** View of southern property perimeter showing elevated Barton Road.

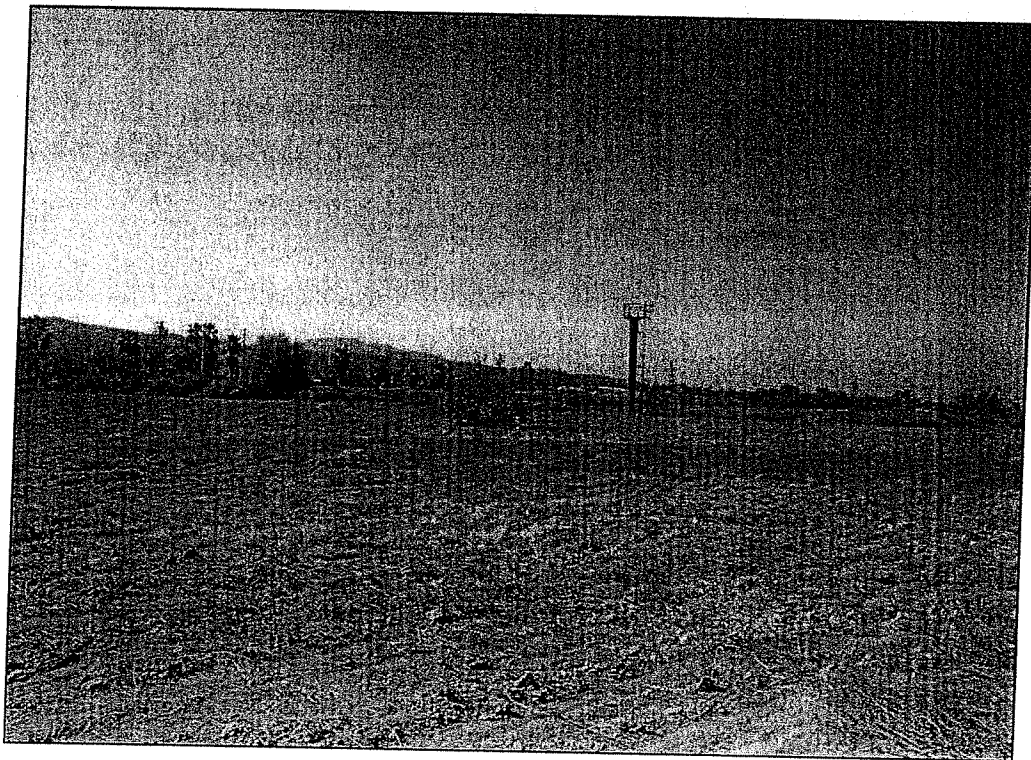


**Photo 2.** View of site and Barton Road traffic looking south from Mission Road.





**Photo 3.** Remaining crop production on site. Property extends past house in the distance. Mission Road is located along row of trees to the right.



**Photo 4.** Property is routinely disced and cleared. Tower in distance is a windmill tower previously used to protect citrus crops from freezing.



**1.4 DETERMINATION**

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT will be prepared.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment. But at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Lori Lamson

Printed Name

May 20, 2004

Date

Senior Planner

For the City of Loma Linda

## 2.0 ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS. -- Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>II. AGRICULTURE RESOURCES. -- Would the project:</b>				
[In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland].				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**ENVIRONMENTAL ISSUES**Potentially  
Significant  
ImpactLess Than  
Significant  
With  
MitigationLess Than  
Significant  
ImpactNo  
Impact**III. AIR QUALITY.** -- Would the project:

[Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations].

- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**IV. BIOLOGICAL RESOURCES.** -- Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>V. CULTURAL RESOURCES. -- Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS. -- Would the proposal:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map issued by the State Geologist for the area or based on other substantial evidence of a know fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS. -- Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>VIII. HYDROLOGY AND WATER QUALITY. -- Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in flooding onsite or offsite?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IX. LAND USE AND PLANNING. -- Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>X. MINERAL RESOURCES. -- Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XI. NOISE. -- Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XII. POPULATION AND HOUSING. -- Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>XIII. PUBLIC SERVICES. -- Would the project:</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XIV. RECREATION. --</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC.</b> -- Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XVI. UTILITIES AND SERVICE SYSTEMS.</b> -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new and expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE. --</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 3.0 EVALUATION OF ENVIRONMENTAL CHECKLIST

#### I. AESTHETICS

- a. **Less than significant impact.** The development of up to 263 detached single-family residences will not have a significant impact on the scenic vista as it will not obstruct any existing scenic views. The development area is located on relatively flat land and is not listed as a scenic corridor or within a protected view shed area.
- b. **Less than significant impact.** The project area is not located within or near a state scenic highway, as identified in the City of Loma Linda General Plan. No visual impacts to a state scenic highway are anticipated.
- c. **Less than significant impact.** The site currently consists of idle fields and approximately 10 acres of crop production. While the terrain will be altered, no significant loss of visual character will result. The surrounding area is a mix of residential, single-family development, multi-family residential, small citrus orchards and vacant land.
- d. **Less than significant impact.** The development will add to the overall amount of light in the area; however, all street lighting will be directed, shielded lighting designed to minimize glare. No spotlighting or flood lighting will be used on the development site either prior to, during, or following construction. No adverse impact on nighttime views will occur.

#### II. AGRICULTURE RESOURCES

- a,b. **Less than significant impact.** The City of Loma Linda General Plan Land Use Element Map (1997) designates the site's approved land use as Mobile Home subdivision. Currently the City's Housing Element (1986) identifies the project site as unzoned. Though the land was historically used as a citrus grove, only 9 acres of citrus grove remain. There are no known Williamson Act contract(s) on the property.
- c. **Less than significant impact.** The City's Land Use Element Map indicates that the site is currently designated for mobile home subdivision use. Surrounding land use designations for adjoining property are commercial and residential uses. Though the development site has a past history of agricultural uses, most of the lands are no longer commercially viable for farming uses. The surrounding area is highly urbanized with only minimal farmable acreage remaining.

### III. AIR QUALITY

- a.,c. **Less than significant impact.** The proposed project will provide a lower density housing than may currently be allowed under the existing land use designation (Mobile Home subdivision). Air quality impacts are expected to remain equal or less than those anticipated under the existing land use designation, and they should remain consistent with the current air quality management plan.
- b. **Less than significant impact with mitigation.** The proposed project was evaluated in terms of potential air quality impacts during construction activities and for long-term occupancy. The project is located within the City of Loma Linda, which is part of the South Coast Air Basin (SCAB). The SCAB is under the regulatory authority of the South Coast Air Quality Management District, which has established regulatory thresholds for activities within the SCAB. When a project exceeds the threshold for a particular contaminant it is considered to have a significant impact on air quality for the region. A significant impact on air quality may also occur if the project does not comply with the air quality management plan, or if its impacts, though not significant, have a cumulative significant effect.

Emissions for the various contaminants were calculated under both short-term and long-term impacts. Under short-term (construction related) impacts, demolition, grading, and construction activities were evaluated for nitrous oxides (NO<sub>x</sub>), carbon monoxide (CO), reactive organic compounds (ROC), sulfurous oxides (SO<sub>x</sub>), and fine particulates (PM<sub>10</sub>). Grading activities were projected to take place over approximately 29 workdays. Construction activities (excluding grading) were projected to occur throughout a 1-year period. The emissions calculations for these short-term activities are summarized by quarter in Tables 3, 4 and 5 below.

**TABLE 3**  
**ESTIMATED SHORT-TERM EMISSIONS DURING SITE GRADING**

Pollution Source	NO <sub>x</sub>	CO	ROC	SO <sub>x</sub>	PM-10
Grading (lbs/day)	NG <sup>1</sup>	NG <sup>1</sup>	NG <sup>1</sup>	NG <sup>1</sup>	95.00
Mobile Equipment (lbs/day)	146.87	110.41	16.80	NG <sup>1</sup>	7.06
Commuting Traffic (lbs/day)	0.40	7.68	0.33	NG <sup>1</sup>	0.03
Emissions Totals (lbs/day)	<b>147.27</b>	118.09	17.13	NG <sup>1</sup>	102.09
Emissions Totals (tons/qtr) <sup>2</sup>	<b>8.01</b>	6.93	0.98	NG <sup>1</sup>	1.76
SCAQMD Thresholds	100 lbs/day 2.5 tons/qtr	550 lbs/day 24.75 tons/qtr	75 lbs/day 2.5 tons/qtr	150 lbs/day 6.75 tons/qtr	150 lbs/day 6.75 tons/qtr

Notes: <sup>1</sup> Criteria pollutants that have estimated negligible values are designated NG (negligible emissions).

<sup>2</sup> Quarterly emission totals for all criteria pollutants reflect 29 workdays of grading activity with the balance of the quarter (36 workdays) reflecting the construction period.

**Bold type** indicates emission estimates that are above the SCAQMD significance thresholds.

See Appendix A for model output report.

**TABLE 4**  
**ESTIMATED SHORT-TERM EMISSIONS**  
**(Construction Period: Summer thru Winter 2004)**

Pollution Source	NOx	CO	ROC	SOx	PM-10
Mobile Equipment	325.82	274.25	39.43	NG <sup>1</sup>	15.46
Commuting Traffic	0.78	16.68	1.41	NG <sup>1</sup>	0.21
Emissions Totals (lbs/day)	<b>326.60</b>	290.93	40.84	NG <sup>1</sup>	15.67
Emissions Totals <sup>2</sup> (tons/quarter)	<b>10.61</b>	9.46	1.33	NG <sup>1</sup>	0.51
SCAQMD Thresholds	100 lbs/day 2.5 tons/qtr	550 lbs/day 24.75 tons/qtr	75 lbs/day 2.5 tons/qtr	150 lbs/day 6.75 tons/qtr	150 lbs/day 6.75 tons/qtr

Notes: <sup>1</sup> NG designates criteria pollutants that have estimated negligible values.

<sup>2</sup> Quarterly emission totals for all criteria pollutants reflect construction period at 65 days per quarter.

**Bold type** indicates emission estimates that are above the SCAQMD significance thresholds.

See Appendix A for model output report.

**TABLE 5**  
**ESTIMATED SHORT-TERM EMISSIONS**  
**(Construction Period: 2005)**

Pollution Source	NOx	CO	ROC	SOx	PM-10
Mobile Equipment	313.04	283.08	39.43	NG <sup>1</sup>	14.28
Commuting Traffic	1.44	30.70	2.58	NG <sup>1</sup>	0.42
Coating Application	NG <sup>1</sup>	NG <sup>1</sup>	240.67	NG <sup>1</sup>	NG <sup>1</sup>
Emissions Totals (lbs/day)	<b>314.48</b>	313.78	<b>282.68</b>	NG <sup>1</sup>	14.70
Emissions Totals <sup>2</sup> (tons/quarter)	<b>10.22</b>	10.20	<b>9.19</b>	NG <sup>1</sup>	0.48
SCAQMD Thresholds	100 lbs/day 2.5 tons/qtr	550 lbs/day 24.75 tons/qtr	75 lbs/day 2.5 tons/qtr	150 lbs/day 6.75 tons/qtr	150 lbs/day 6.75 tons/qtr

Notes: <sup>1</sup> NG designates criteria pollutants that have estimated negligible values.

<sup>2</sup> Quarterly emission totals for all criteria pollutants reflect the last quarter of construction when coating applications occur simultaneously with other construction activities during the 65 workday quarter.

**Bold type** indicates emission estimates that are above the SCAQMD significance thresholds.

See Appendix A for model output report.

The data in the above tables indicates that construction activities for this project are above the SCAQMD thresholds for NOx and ROC emissions. In an effort to reduce estimated NOx and ROC emissions, a range of mitigation measures were reviewed. Effective NOx emission reduction measures include fueling onsite diesel powered construction equipment with aqueous diesel fuel (14% reduction), properly maintaining construction equipment (5% reduction), providing temporary traffic control (e.g., flag person) during transport activities (5% reduction), prohibiting truck and equipment idling in excess of 10 minutes (2% reduction), extending the 1 month grading operation to 2 months to reduce daily emissions (33% reduction in daily emissions), and providing onsite meals during lunch to construction workers by



arranging to have a lunch wagon visit the site during work breaks (1% reduction in NOx and 1.3% reduction in all other criteria pollutants for worker commute trips). The most effective mitigation measure for ROC control are the use of low-emissions paint, as required under SCAQMD Rule 1113 (5% reduction in ROC emissions), the use of either high-volume, low-pressure (HVLV) spray equipment or hand application of paint (minimum of 60% reduction in ROC emissions) and staggering the application of paint over 6.5 months during construction of the homes (24% reduction in ROC emissions) (Table 6). Other potential mitigation measures were found to be ineffective or have minimal benefits.

**TABLE 6**  
**MITIGATED SHORT-TERM EMISSIONS**

Pollution Source	NOx	ROC
<b>Grading</b>		
Mobile Equipment	75.78	10.08
Commuting Traffic	0.27	0.22
Emissions Totals (lbs/day)	76.05	10.30
Emissions Totals (tons/quarter)	2.33	1.38
<b>Construction: Summer thru Winter 2004</b>		
Mobile Equipment	66.76	10.82
Commuting Traffic	1.46	2.66
Coating Application	NG <sup>1</sup>	58.32
Emissions Totals (lbs/day)	68.22	71.80
Emissions Totals (tons/quarter)	2.22	2.33
<b>Construction: 2005</b>		
Mobile Equipment	69.50	10.54
Commuting Traffic	0.71	1.24
Coating Application	NG <sup>1</sup>	58.32
Asphalt Offgassing	NG <sup>1</sup>	2.26
Emissions Totals (lbs/day)	70.21	72.36
Emissions Totals (tons/quarter)	2.28	2.35
SCAQMD Thresholds	100 lbs/day 2.5 tons/qtr	75 lbs/day 2.5 tons/qtr

Notes: <sup>1</sup> NG designates criteria pollutants that have estimated negligible values.  
See Appendix A for model output report.

**Air Quality Mitigation Measures:** Air quality impacts for short-term, construction-related activities will be less than significant with the implementation of the following mitigation measures:

- Prior to construction of the proposed improvements, the project proponent will provide a traffic control plan that will describe in detail safe detours around the project construction site and provide temporary traffic control (i.e., flag person) during demolition debris transport and other construction related truck hauling activities.
- Site-clearing and grading operations will be conducted over a 2-month period in order to reduce daily emissions.
- During construction of the proposed improvements, construction equipment will be properly maintained at an offsite location and includes proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction.
- During construction of the proposed improvements, all contractors will be advised not to idle construction equipment on site for more than 10 minutes.
- During construction of the proposed improvements, onsite construction equipment will be fueled with aqueous diesel fuel. Alternatively, if aqueous diesel fuel is not available, diesel construction equipment usage will be reduced by at least 14 percent per day.
- During construction of the proposed improvements, the project applicant will provide onsite electrical hook ups for electric construction tools, such as saws, drills and compressors, to eliminate the need for diesel powered electric generators.
- During construction of the proposed improvements, only low-volatility paints and coatings as defined in SCAQMD Rule 1113 shall be used. All paints shall be applied using either high-volume, low-pressure (HVLP) spray equipment or by hand application.
- Application of paint and architectural coating will be staggered over a 6-month period during construction of the homes to reduce daily emissions.
- During construction of the proposed improvements, the project applicant will provide onsite meals to construction workers by arranging a lunch wagon to visit the construction site during work breaks, including the lunch break.

The project-related air quality impacts for long-term residential use were also calculated. For residential use, a variety of activities were evaluated, including landscape maintenance, energy consumption, and traffic related impacts. Long-term emissions projections calculated for project-related impacts were determined to be less than significant. Table 7 summarizes the long-term air quality impacts associated with this project.

TABLE 7  
ESTIMATED LONG-TERM PROJECT-RELATED EMISSIONS

Pollution Source	NOx	CO	ROC	SOx	PM <sub>10</sub>
Mobile Emissions	28.19	314.68	26.58	0.28	25.81
Electrical Consumption	0.62	0.82	0.04	0.49	0.16
Natural Gas Consumption	3.32	1.41	0.30	NG	0.01
Landscaping Emissions	0.04	2.26	0.30	0.08	NG
Consumer Products	NG	NG	12.96	NG	NG
Emissions Totals	32.17	319.57	40.18	0.85	25.98
SCAQMD Thresholds	55	550	55	150	150

Note: All units are in pounds per day NG denotes criteria pollutants that have negligible estimated values

- d.,e. **Less than significant impact.** No significant long-term pollution or odor increase will occur so the project is not expected to create a substantial increase of exposure to sensitive receptors. Table 7 in the Air Quality Study in Appendix A indicates two local intersections (California Street/Barton Road and Mountain View/Barton Road) will be within 1 percent of the state standards for carbon monoxide "hotspot" concentrations (8.94 vs. 9 ppm); however, these high levels are mainly due to traffic from other projects. Fugitive dust from grading will occur during the construction of the development site; however, levels will not exceed air quality thresholds and will not be permanent. Odors will be limited to temporary activities, such as asphalt paving, and are not expected to result in a nuisance to nearby receptors.

#### IV. BIOLOGICAL RESOURCES

- a. **Less than significant impact.** The project site and adjacent properties are currently undeveloped land that has been highly disturbed through weed abatement and agricultural practices. No sensitive plant or animal species were identified as potentially occurring onsite during the biological resources survey.
- b.-d. **No impact.** The project site is highly disturbed, level land that has been used for agricultural purposes. The land is disced routinely and is used for limited crop production. The project site does not include riparian habitat or other sensitive natural community. San Timoteo Creek, south of the project site, is a channelized flood control structure and does not support native vegetation or wildlife species.

- e,f. **No impact.** The project site does not contain any protected biological resources nor is it located within or adjacent to a habitat conservation area. The area has generally been used for agricultural purposes and maintained as idle land, while the surrounding area is under development for residential and commercial uses.

## V. CULTURAL RESOURCES

- a.-c. **Less than significant impact with mitigation.** The project is located within the Mission Historical District Overlay Zone. Several potentially important structures were known to lie within this area. A field survey, conducted at the project site, revealed a few moderately sized, historic glass and porcelain fragments. The presence of these materials was considered to be a result of sporadic dumping by nearby residents. Additionally one possibly prehistoric metate fragment, composed of granitic material was noted. No other potentially prehistoric cultural materials were observed during the site survey.

A records search for known cultural sites indicated that the project area may not have been previously surveyed for cultural resources. The search also indicated that no cultural properties have been recorded onsite, although numerous historic archaeological sites and structures were identified within the 1-mile search radius.

A paleontological review indicated that the project area contains alluvial soils that are unlikely to contain fossils because the soils are too young. Based on the geological map for the area, fossils would only be expected to be encountered at extreme depths.

- d. **Less than significant impact with mitigation.** The site is not expected to contain any human remains. If any are encountered, construction will be halted and the San Bernardino County Coroner shall be immediately advised. Based on information gathered during the records search and site survey, the following mitigation measures are recommended:

### Cultural Resource Mitigation Measures:

- Full-time monitoring by a licensed archeologist during all grubbing grading and utility trenching activities where intact soils below the upper 2 feet of grade are disturbed. Native American tribal monitors (from groups indicated by the NAHC) should be hired by the project proponent and should be on site during the grubbing, grading and utility trenching phases of the project. These monitors should also be on-site during any archaeological Phase 2 (testing) or Phase 3 (excavation) work.

- Should potentially significant buried cultural resources be uncovered during construction, such resources should be tested by a qualified archaeologist for historical significance prior to continuing construction or grading.
- In the event that fossil resources are uncovered during construction, a qualified vertebrate paleontologist must be retained to develop a program to mitigate for impacts to nonrenewable fossil resources.
- Should any human remains be discovered during construction activities, all work in the area shall be suspended and the San Bernardino County Coroner shall be notified of the discovery. Work shall not resume until the Coroner has approved resumption of activities.

## VI. GEOLOGY AND SOIL

- a. **Less than significant impact.** The site is not located within or immediately adjacent to the boundaries of an Earthquake Fault Zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. Since no faults are known to pass through the project site, a surface fault rupture within the project site is unlikely.

The site lies near the southwest boundary of a large structural block of land known as the San Bernardino Valley Block which is bounded on the northeast by the San Andreas fault and on the southwest by the San Jacinto fault. The Loma Linda fault, located approximately 1 mile southwest of the site, may represent an older branch of the San Jacinto fault and is not an active fault as defined by the State of California. The Banning fault, located approximately 1.5 miles south of the site, is a major structural break lying between the San Bernardino Mountains and San Gorgonio Pass. The Banning fault is considered by the State of California to be an active fault east of Cabazon. No significant earthquakes are known to have occurred during historic time along the Loma Linda or this section of the Banning fault.

The San Jacinto fault, which is approximately 2¼ miles to the south, has been the most seismically active fault in southern California. Between 1899 and 1995, eight earthquakes of magnitude 6.0 or greater have occurred somewhere along the San Jacinto fault between the San Gabriel Mountains and Mexico. Since 1899, earthquakes on the San Jacinto fault of magnitude 6.0 or greater have occurred every 5 to 19 years. The most recent significant earthquake associated with the San Jacinto fault that occurred near the project area was an estimated 6.3 magnitude event south of Loma Linda in 1923.

The San Jacinto fault is considered to be the most important fault to the site in terms of seismic shaking impacts due to its proximity to the site, style of faulting, recurrence interval and maximum probable earthquake. Based on a maximum probable earthquake of magnitude 7.0 along the San Jacinto fault, an average value of mean peak ground acceleration expected at the project site would be 0.55g.

Liquefaction is considered unlikely to occur at the project site due to the depth of groundwater (approximately 125 feet below ground surface). Seismically-induced landslides are not expected to occur due to the low gradient of the site.

- b. **Less than significant impact.** Substantial soil erosion is unlikely to occur due to the relatively flat terrain. However, soil erosion shall be further minimized during construction through the implementation of dust control measures described in Section III.
- c.,d. **Less than significant impact.** A geotechnical investigation of the site (John R. Byerly, 2003) determined that the project area is underlain by alluvial fan deposits. Subsurface soils consisted of silty sands, gravelly sand, and sandy silt which are non-plastic and non-expansive in nature. Liquefaction is considered unlikely due to depth of groundwater (which is approximately 120 feet below ground surface). Provided regrading of the near surface soils is performed as recommended in the geotechnical report for this site, settlement, landslide, lateral spreading, subsidence, or collapse is not considered to be a site constraint.
- e. **No impact.** No alternative wastewater disposal systems or septic tanks will be used, as the development site will be supported by a sewer system.

## VII. HAZARDS AND HAZARDOUS MATERIALS

- a.,b. **Less than significant impact.** A less than significant impact from hazardous materials transport or use will occur during construction activities at the project site. Hazardous materials which may be present during construction include limited storage of diesel fuel and the storage of paints and solvents common to construction. Quantities of materials stored on site during construction activities will be limited to amounts reasonable and necessary for construction activities and will be stored in manner consistent with hazardous material storage requirement. Although potentially hazardous materials may be on site, the quantities and use of these materials is routine and will not pose a threat to surrounding areas or the public in general.

- c. **Less than significant impact.** Referencing Thomas Guide, San Bernardino and Riverside Counties street guide and directory, 2001 page 607, no school currently exists within 1/4-mile radius from the development site. The Bryn Mawr Elementary School is approximately 1/2 mile south of the project site. A new school has been proposed north of the project site; however, this project (construction and residential use) is not expected to result in the emission of hazardous materials that would impact existing or proposed schools.
- d. **Less than significant impact with mitigation.** A Phase I Environmental Assessment was performed in September 2003 for the project site. No staining or other visible signs of soil contamination were observed during the field survey. Photographs indicate that the site had formerly been used for citrus orchards. Interviews with long-time residents indicated that while pesticide use is ongoing at the project site, no mixing or storage of pesticides was identified as having occurred on site.

Limited soil testing was conducted for the site to evaluate the potential for pesticide residue in existing agricultural soils. The results of this soil assessment indicated that residual concentration of organochlorine pesticides DDD, DDE, and DDT are present in the soils at the project site. No sample result exceeded the Preliminary Remediation Goals (PRG) for Residential Soils set by Region 9 of the USEPA. Normal agricultural practices, including planting, disking and soil preparation generally increase the chemical's exposure to air and light, speeding up the breakdown of these materials. Due to the nature of the composite-type sampling performed, some areas may have higher concentrations which may exceed the PRG concentrations for residential soils. To reduce the likelihood of this occurring, and to further reduce the residual quantities of pesticides in the soils, the following mitigation measure will be implemented:

**Mitigation Measure for Potential Soil Contamination:**

- Grading operations for the site will be conducted over the entire site to ensure that soil mixing and aeration to a depth of at least 4 feet below ground surface will occur.
- Soil sampling and analysis of visibly stained soils will be conducted prior to any grading or earthmoving activities. Any soil that is determined to contain contaminants in hazardous concentrations will be properly treated and/or removed by a qualified hazardous waste company.

- e,f. **No impact.** Per page 607 of the 2001 Thomas Guide, San Bernardino and Riverside Counties street guide and directory, no public airport or public use airport is located within 2 miles of the project site. The nearest public use airport is San Bernardino International Airport, approximately 3 miles north of the project site. No private airstrips have been identified within the vicinity of the project site.
- g. **No impact.** The proposed project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- h. **No impact.** The development site is not located in or adjacent to a wildland area and is not subject to a significant risk from wildland fires.

### VIII. HYDROLOGY AND WATER QUALITY

- a, c., e, f. **Less than significant impact with mitigation.** Development of the vacant site can potentially cause soil sedimentation and water pollution during grading and construction phases. Operations of the facility, including maintenance and irrigation can also lead to sedimentation and water contamination. An erosion/sediment control plan and a Water Quality Management Plan are required to address onsite drainage control during construction.

#### **Mitigation Measures for Hydrology and Water Quality:**

- All site drainage shall be handled onsite and shall not be permitted to drain onto adjacent properties.
- Prior to issuance of grading permits, the applicant shall obtain coverage under the NPDES Statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence that this has been obtained shall be submitted to the City of Loma Linda Public Works Department.
- An erosion/sediment control plan and a Water Quality Management Plan are required to address onsite drainage construction and operation.
- All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters of blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for



ensuring that these measures continue to be effective during the duration of the project construction.

- Appropriate controls shall be installed to prevent all materials from being tracked off-site by vehicles or other means. These controls may include gravel exits or wash-down areas. Any materials tracked off-site must be removed as soon as possible, but no later than the end of the operation day. This material shall be disposed of at an appropriate disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.
- A complete hydrology study and hydraulic calculations shall be submitted for review and approval by the Public Works Department.

- b. **Less than significant impact.** The project is consistent with the planned growth of the City of Loma Linda, so no significant impact is expected. The project area is within a core development area of the city and water infrastructure to service the area is already in place. Prior to recordation of the tract map, the project proponent must obtain a commitment of service from the local water purveyor.
- d. **Less than significant impact with mitigation.** The project consists of flat terrain that is partially citrus grove and partially farmed or barren with frequent discing. The upstream tributary area easterly is primarily undeveloped and of similar character. The general fall of the ground is to the northwest at about 1 percent. Though bounded on the south by the San Timoteo Creek channel, the site falls away from the channel and drains to Mission Road.

Goodman and Associates have prepared a preliminary hydrology report, which concluded that the existing storm drain system contains sufficient carrying capacity for projected flows as a result of this project.

**Mitigation Measure for Hydrology and Water Quality:**

- Prior to any construction activities, the project proponent will submit a Final Drainage Report to the City for review and approval.
- g,h **Less than significant impact.** The project is located within the regional watershed known as San Timoteo Canyon. The primary drainage course is San Timoteo Creek, a regional flood control channel. The City of Loma Linda General Plan Housing Element (1986) and the Federal Emergency Management Agency's Flood Insurance Rate Map (1996) identify the project site as lying within a 100-year floodplain.

The U.S. Army Corps of Engineers (USACE) and the San Bernardino County Flood Control District have improved the creek to a concrete lined trapezoidal channel. These improvements were built to about ¼ mile upstream from the project and construction to extend improvements farther upstream is currently underway. As a result of ongoing flood control improvements, the Federal Emergency Management Agency (FEMA) issued a letter on June 27, 2001, that revises the project area's floodplain rating to a Zone A99. The Zone A99 designation is an interim designation that is used for areas that are protected from the base flood due to a Federal flood-protection system that is under construction. A new floodplain map will be prepared after USACE has certified the improvements to the San Timoteo Creek.

- i.j. **No significant impact.** The project site consists of relatively flat terrain. The general fall of the ground is to the northwest at about 1%, draining to Mission Road. Ongoing improvements to the San Timoteo Creek flood channel are designed will remove the project area from the 100-year floodplain, reducing the potential of flooding or mudflows to less than significant. The project is not located near any large bodies or water and is not subject to threats of inundation by seiche or tsunami.

#### IX. LAND USE AND PLANNING

- a. **No impact.** The project will not physically divide an established community. Properties to the south of the site are physically separated by a rail line and a flood control channel. Land to the west of the project is currently undergoing construction for a residential development. Property immediately to the east of the project is undeveloped and abuts California Street. Property to the north is a mix of residential, orange groves and undeveloped land.
- b. **Less than significant impact.** The development site is presently zoned as medium density single family residential (5 to 10 dwelling units per acre). Under the proposed project, the site will remain residential with a density of approximately 6.7 dwelling units per acre. The project meets all City Zoning Code requirements.
- c. **Less than significant impact.** This project will not conflict with any applicable habitat conservation plan or natural community conservation plan. The project site lies within disturbed lands and is adjacent to agricultural and residential land. No Habitat Conservation Plan is being proposed or has been established for the area surrounding the project site, so no impacts to a Habitat Conservation Area are expected. A program to re-establish a riparian habitat along the creek for migratory birds has been

proposed. This project will be compatible with the proposed improvements along the creek.

#### **X. MINERAL RESOURCES**

- a.,b. **No impact.** No loss of valuable mineral resource is expected to occur since the project site is not zoned for mineral extraction. Surrounding land uses would not be consistent with a mineral extraction facility.

#### **XI. NOISE**

- a. **Less than significant impact.** A Noise Impact Analysis was performed for the project by Albert A. Webb Associates (Webb 2004). Ambient noise levels were measured approximately 120, 175, and 700 feet from the centerline of Barton Road within the project site. Ambient noise levels were measured, then input into the SOUND32 computer model to predict future (with project) noise levels. Noise levels were compared to the County of San Bernardino noise standards and to the City of Loma Linda Draft General Plan to determine compliance with local standards. An impact was determined to exist when projected noise levels exceeded the local noise standard. The County of San Bernardino and the City of Loma Linda Draft General Plan allow outdoor noise levels in private yards of single-family homes of up to 65 dBA provided that exterior noise levels have been substantially mitigated through a reasonable application of best available technology. Under local standards, interior noise levels are allowable up to 45 dBA. Using standard construction methods and materials, as required under the Uniform Building Code, interior noise levels would be expected to decrease at least 20 dB from exterior levels. The noise assessment calculated noise levels on the Community Noise Equivalent Level (CNEL) scale of 64.2 dB at 120 feet, 64 dB at 175 feet, and 63.2 dB at 700 feet from Barton Road, while the noise level along Mission Road was estimated at 60.26 dB (Webb 2004, Table 3).

The study concluded that none of the project properties, including those adjoining Barton Road or Mission Road, would be exposed to noise levels that exceed City or County standards of 65 dBA CNEL and so are within allowable standards for residential land uses.

Additionally, a railroad track is located roughly parallel to and south of the project's southern boundary. Based on the distance from the project and the estimated number of trains per day, the project noise study concluded that noise levels from the railroad will also not significantly impact the project (Webb 2004).

- b, c, d. Less than significant impact.** During construction of the housing units a temporary rise in the area's noise level will occur; however, the level of noise will not be substantial. While some ground-borne vibration will be created, no substantial vibrations will occur, so the potential for disrupting persons in the vicinity of the project area is minimal. The development will result in short-term construction noise impacts. However, the City requires compliance with the City's Noise Ordinance and construction hours. During site construction, the project is required to comply with Section 9.20.050 (Prohibited Noises) of the Loma Linda Municipal Code, which requires that construction activities cease between the hours of 10:00 p.m. and 7:00 a.m. No additional mitigation is needed or proposed for short-term noise impacts.
- e, f. No impact.** Referencing the 2001 Thomas Guide, San Bernardino and Riverside Counties street guide and directory, page 607, no public airport or private airstrip is located within 2 miles of the project site. The San Bernardino International Airport is approximately 3 miles north of the project site and is in the process of development a Master Plan to address land uses.

## **XII. POPULATION AND HOUSING**

- a. Less than significant impact.** The proposed project will involve construction of up to 263 new housing units that will increase the population of the area. The growth that this development will cause is less intense (of lower density) than the allowable density planned for in the existing City of Loma Linda Adopted General Plan Land Use Element Map.
- b. No impact.** The project will not result in the need to produce replacement housing. The project site is predominantly open space and will not displace any current housing, or businesses. Two inhabited houses, located adjacent to the project site, will be protected during project construction.

- c. **Less than significant impact with mitigation.** The project area is currently designated as medium density residential. The proposed project is consistent with the current land use and zoning designations and will not result in a change in land use.

### **XIII. PUBLIC SERVICES**

- a. **Less than significant impact with mitigation.** The Public Safety Department has reviewed this project and they have the capability of providing service to the site. All homes will be required to install automatic fire sprinklers and a utility improvement plan will be required of the applicant to show locations of fire hydrant for Public Safety Department review. The San Bernardino County Sheriff's Department provides police protection for the City of Lima Linda. They have reviewed the project and are able to provide services for this project; therefore, there is no impact. Redlands Unified School District has been notified of this project. The applicant will be required to pay school fees to the District. The neighborhood park south of the project area will be adequate to service the future residents in the subdivision. Government services will be provided to all residents in this subdivision.

The project would not create the need for additional public services. The proposed project will not adversely impact other publicly maintained facilities due to the limited size and scope of the project. A standard condition of approval will require the project proponent to pay for development impact fees established for development within the City of Loma Linda. These fees are used to make necessary improvements within the area to keep the system at acceptable levels of service and to provide for future parks within the City.

#### **Mitigation Measures for Public Service Impacts:**

- The developer will be required to install automatic fire sprinklers in all dwelling units, and a utility improvement plan will be required of the developer to show locations of fire hydrants for Public Safety Department review.
- The developer shall pay for development impact fees established for development within the City of Loma Linda prior to issuance of building permits.
- The developer shall make a payment of school fees from the most current fee schedule to Redlands Unified School District prior to issuance of building permits.

**XIV. RECREATION**

- a. **Less than significant impact.** The development of up to 263 housing units will increase the use of public facilities in the vicinity; however, a less than substantial impact will occur as the number of individuals that will occupy the area is relatively low. As part of the project, an assessment district will be established to maintain common open space and parks. Fees charged to property owners, through the Homeowner's Association, will be sufficient to fund maintenance and repair costs for recreational areas within the development.
- b. **Less than significant impact.** The project includes the development of 3.7 acres of park space and 1.5 acres of open space and trails. Three parks are proposed which will include a variety of recreational amenities. These public parks, trails and open space will be included as part of the Landscape Maintenance District, but will be maintained by the Homeowner's Association. The amount of proposed park space is the amount as recommended by General Plan policy for future residents of 5 acres per 1,000 residents.

**XV. TRANSPORTATION/TRAFFIC**

- a.,b. **Less than significant impact with mitigation.** In conjunction with City of Loma Linda staff, a total of seven intersections were identified for analysis in the traffic study for typical weekday morning and evening peak hour conditions. The locations included the following intersections:

- Mountain View Avenue at Mission Road;
- Mountain View at Barton Road;
- California Street at Redlands Boulevard;
- California Street at Orange Avenue;
- California Street at Mission Road;
- California Street at Barton Road; and
- New Jersey Street at Barton Road.

In addition to the above study intersections, the three project access points along Mission Road were also assessed. For purposes of this study, it was assumed that Mission Road would be realigned to intersect with California Street at Orange Avenue in the vicinity of the project site. These conditions were assumed for future conditions, both with and without the proposed project. Therefore, under future conditions,

California Street at Mission Road is combined with California Street at Orange Avenue.

Existing conditions were determined by performing morning and evening peak period turning movement traffic counts for the intersection of Mountain View Avenue at Mission Road in July 2002. Traffic counts for the remaining six intersections were conducted in November 2003. The traffic impact analysis is based on the highest single hour of traffic during each time period at each location. Based on consultation with the City of Loma Linda, an ambient growth rate of 4 percent per year was used in the analysis. Year 2007 build-out has been assumed as the time frame for future conditions since full occupancy of the proposed project is expected to occur during this time. Cumulative project growth, which is growth due to specific, known development projects in the study area was also included in the analysis of Year 2007 Without Project conditions.

The Year 2007 With Project included the impacts due to ambient growth and related projects in addition to the proposed project conditions. The known development projects in the study area included the following:

- A 52-unit single-family residential development at 1<sup>st</sup> Street and Whittier Avenue;
- A 50-unit single family residential development at Newport Road and Barton Road;
- University Village (14.5 acres of commercial land, 1,345 rental apartments, and 430-unit single-family homes);
- Orchard Park (18.4 acres of commercial land, 47-acre mixed use business park, 862-unit rental apartments, and 365-unit single-family residences);
- Mission Trails Development consisting of 196-single-family residential-units;
- Mission Lane Development consisting of 93-unit single-family residences; and
- AGS Spanos Project, a 296-unit multi-family residential development at Barton Road and California Street.

Total cumulative project trips for all of these projects was 2,671 trips for AM Peak Hour and 3,511 trips for PM Peak Hour. The American Pacific Development project, with 263 single-family residential units was estimated to add 200 trips during AM Peak Hour and 268 trips during PM Peak Hour.

Traffic impacts were measured in terms of Level of Service for the intersections identified above. The level of service concept is a measure of the average operating conditions at an intersection during an hour. It is based on vehicle-delay and is defined by a range of grades from A to F. LOS A represents free-flow conditions while LOS F characterizes severe congestion with volumes at or near the design capacity. Table 8 below provides a summary of the six levels of service, their descriptions and approximate delays for both signalized and stop-controlled intersections.

**TABLE 8**  
**LEVEL OF SERVICE INTERPRETATIONS**

Level of Service	Description	Signalized Intersection Delay (seconds per vehicle)	Stop-Controlled Intersection Delay (seconds per vehicle)
A	Excellent operations. All approaches to the intersection appear quite open, turning movements are easily made, and nearly all drivers find freedom of operation	$\leq 10$	$\leq 10$
B	Very good operation. Many drivers begin to feel somewhat restricted within platoons of vehicles. This represents stable flow. An approach to an intersection may occasionally be fully utilized and traffic queues start to form.	$> 10$ and $\leq 20$	$> 10$ and $\leq 15$
C	Good operation. Occasionally drivers may have to wait more than 60 seconds, and back-ups may develop behind turning vehicles. Most drivers feel somewhat restricted.	$> 20$ and $\leq 35$	$> 15$ and $\leq 25$
D	Fair operation. Cars are sometimes required to wait more than 60 seconds during short peaks. There are no long-standing traffic queues.	$> 35$ and $\leq 55$	$> 25$ and $\leq 35$
E	Poor operation. Some long-standing vehicular queues develop on critical approaches to intersections. Delays may be up to several minutes.	$> 55$ and $\leq 80$	$> 35$ and $\leq 50$
F	Forced flow. Represents jammed conditions. Backups from locations downstream or on the cross street may restrict or prevent movement of vehicles out of the intersection approach lanes; therefore, volumes carried are not predictable. Potential for stop and go type traffic flow.	$> 80$	$> 50$

Source: *Highway Capacity Manual 2000*, Transportation Research Board, Washington D.C., 2000

Once the existing and future traffic volumes for the intersections could be estimated, the levels of service were assessed. The seven intersections were evaluated for worst case loads during peak AM and PM periods. Under existing conditions, New Jersey Street at Barton Road was rated at a LOS of F during AM and PM peak hour periods. Table 9 summarizes the traffic impacts for the seven intersections under study.



**TABLE 9  
TRAFFIC IMPACTS**

Intersection	Existing Conditions		Year 2007 (Growth / Related)		Year 2007 (Growth/ Related/Project)	
	AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
Mountain View at Mission Rd	B	D	D	F	E	F
Mountain View at Barton Road	C	C	C	D	C	D
California Street at Redlands Boulevard	C	C	F	F	F	F
California Street at Orange Avenue	B	B	F	F	F	F
California Street at Mission Road	B	B				
California Street at Barton Road	B	C	F	F	F	F
New Jersey Street at Barton Road	F	F	F	F	F	F

The City of Loma Linda uses the San Bernardino County Congestion Management Program (CMP) to determine criteria for impacts at intersections. The County requires that intersections that are expected to operate at LOS F be mitigated to at least LOS E.

*Potential Traffic Impacts.* As indicated in Table 9 above, the intersection of New Jersey Street at Barton Road currently operates at LOS F during both peak hours. The poor LOS results from long delays experienced by the southbound New Jersey Street turning movements which are controlled by a stop sign while traffic along Barton Road is not controlled. Additionally, Mountain View at Mission Road and the three intersections along California Street (Barton Road, Redlands Boulevard and Orange Avenue/Mission Road) are projected to operate over capacity (LOS F) during peak hours under future conditions (with or without project) and will also require improvements. Note that these poor operating conditions are a result of future conditions and mitigation measures would be required even if the proposed project was not built.

As stated previously, the three project access points on Mission Road were also assessed for both AM and PM peak hour impacts. Based on the future with project peak hour traffic volumes, all three project access points are expected to operate at LOS C or better during both peak hours.

*Mitigation Measures.* As stated above, five of the six analyzed intersections are expected to operate at LOS F during one or both peak hours. Potential mitigation measures were developed for these locations and their effectiveness analyzed. The analyzed potential improvements are described below:

- ♦ *California Street and Redlands Boulevard.* Realign the intersection and widen California Street approaches to provide an exclusive left-turn lane and one shared through/right turn lane in the northbound direction and two exclusive left-turn lanes, one through lane, and add exclusive right-turn lane in the southbound directions. It should be noted that these improvements have been identified in the Final 2002 Regional Transportation Improvement Program (RTIP).
- ♦ *California Street and Mission Road/Orange Avenue (new intersection).* Install a traffic-signal and provide the following lane configurations: one left-turn lane and one shared through/right-turn lane on the eastbound Mission Road approach; and one shared left-turn/through/right-turn lane on the Orange Avenue approach.
- ♦ *Mountain View and Mission Road.* Install two-phase traffic signal and formally stripe the Mission Road westbound approach to provide one left-turn lane and one right-turn lane.
- ♦ *New Jersey Street and Barton Road.* Install two-phase traffic signal at this location.

Using these improvements, the intersections were reevaluated to determine the projected level of service. Table 10 summarizes future (with project) peak hour conditions with and without mitigation.

**TABLE 10**  
**FUTURE WITH MITIGATION PEAK HOUR INTERSECTION LEVEL OF SERVICE SUMMARY**

Intersection (AM/PM)	Future with Project	With Mitigation	Impact
Mountain View at Mission Rd.:	E/F	C/C	No
Mountain View at Barton Rd.	C/D	none required	No
California St. at Redlands Blvd.	F/F	D/D	No
California St. at Orange/Mission	F/F	C/D	No
California St. at Barton Rd.	F/F	C/C	No
New Jersey St. at Barton Rd.	F/F	A/A	No

**Mitigation Measure for Traffic Impacts:**

- The project traffic report (MMA 2004) identifies a number of roadway and intersection improvements that will be needed in the future to maintain City Level of Service requirements. The developer shall make a proportionate (i.e., "fair share") contribution towards the funding for these various improvements. The proposed project's contribution to future growth in traffic would range from approximately 3.9 percent at the intersection of California Street and Barton Road to 19.6 percent at the intersection of Mountain View Avenue and Mission Road. Based on recent CEQA case law, payment of mitigation fees into an established mitigation program is considered adequate mitigation for traffic impacts. As an alternative, the City may request the developer construct one or more planned improvements within the study area as an in lieu contribution for part or all of the project's "fair share" traffic requirements. This measure shall be implemented to the satisfaction of the City Traffic Engineer.
- c. **No impact.** According to the 2001 Thomas Guide for San Bernardino and Riverside Counties street guide and directory, page 607, no public airport is located within 2 miles of the development site. San Bernardino International Airport is located approximately 3 miles north of the project site.
- d. **Less than significant impact.** No traffic hazards will be created by the construction of project access points or the construction of internal roads that are necessary for the development.
- e. **Less than significant impact.** The proposed project will not result in inadequate emergency access. As part of the project, existing roads will be extended into the project area and proposed street improvements will provide better access to the surrounding community. Interior roads will be designed to provide adequate access to emergency vehicles and will be reviewed by Public Works and Public Safety Departments.
- f. **Less than significant impact.** Dwelling units will have a driveway and garage for residential parking. Additional parking capacity will be obtained through parking along the project's interior roads. No additional need for parking capacity is anticipated.
- g. **No impact.** The development will not conflict with adopted policies, plans, or programs supporting alternative transportation, it may potentially enhance alternative transportation programs by providing safer routes for pedestrian and bicycle travel. The project area will link to the proposed regional trail system through the utility corridor west of the site, providing easy and safe access to alternative transportation.

Bikeways and trails have been designed within the project area to encourage pedestrian and bicycle travel.

#### **XVI. UTILITIES AND SERVICE SYSTEMS**

- a. **Less than significant impact.** The development will use a sewer system to control and manage the wastewater that it creates; therefore, it will not exceed wastewater treatment requirements set forth by the Regional Water Quality Control Board.
- b.,e. **Less than significant impact.** The development will be served by the existing wastewater treatment facilities. Proof of service capacity will be presented to the City of Loma Linda prior to recordation of the tract map.
- c. **Less than significant impact.** Recently installed storm drainage facilities along Mission Road have been designed with sufficient carrying capacity to meet projected demands created by the proposed project.
- d.,e. **Less than significant impact.** The City provides wastewater services through its existing sewer system. Wastewater is treated at the City of San Bernardino facilities and the project's impacts will not exceed current design capacity of the existing water treatment facilities. Proof of service capacity will be presented to the City of Loma Linda prior to recordation of the tract map.
- f.,g. **Less than significant impact.** Curbside service is currently provided to city residences through a contract with Waste Management Inc. The development area will be served by a County of San Bernardino landfill, and will have a negligible impact on the capacity of the landfill. Solid waste handling and disposal operations will comply with federal, state and local statutes related to solid waste.

#### **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. **Less than significant impact with mitigation.** The project site is currently highly disturbed and should not impact any sensitive species. The site is located within an area of known cultural and historical significance, however mitigation measures included in this Initial Study will reduce the project impacts to less than significant levels.

- b. **Less than significant impact with mitigation.** Several of the potential impacts identified in this Initial Study potentially have cumulatively considerable increment effects, which could degrade the quality of the environment if they were not avoided or sufficiently mitigated. Mitigation measures have been proposed and implementation of these mitigation measures should provide safeguards to prevent potentially significant cumulative impacts.
  
- c. **Less than significant impact with mitigation.** Several of the potential impacts identified in this Initial Study could degrade the quality of the environment if they are not avoided or sufficiently mitigated. Project impacts that can be sufficiently mitigated to a less than significant level include cultural resources, hydrology, traffic, and air quality. Implementation of the proposed mitigation measures will ensure that the project's effects will remain at a level that is less than significant.

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May 10, 2004, Preliminary Acoustical Analysis, Tract 16730, City of Loma Linda. Prepared for American Pacific Homes.

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# **Attachment B**

## **General Plan Amendment**

**ATTACHMENT B**

**GENERAL PLAN TEXT AMENDMENT**

**GP04-01**

An amendment to the Loma Linda General Plan, Chapter Three: Planning Elements, page 12.

**Mixed Use**

Goal

It shall be the goal of the City of Loma Linda to:

1. To encourage the development of Livable Community concepts in the larger expansive areas of the City that are undeveloped.

Objective

It shall be the objective of the City of Loma Linda to:

- 1.1 Promote the development of "Livable Communities" by allowing a variety of uses such as residential, commercial (office, retail, and services), institutional and light industrial that can be non-standard subdivision which integrate together through the use of a specific plan or master plan.

Policy

It shall be the policy of the City of Loma Linda to:

- 1.1.1 Permit the development of a variety of single family detached units, small lot single-family unit subdivisions, and multi-family units at a density up to 20 units per gross acre in areas designated as "Mixed Use".
- 1.1.2 Permit the development of ancillary uses to residential tracts such as community centers, recreational amenities, parks, and trails.
- 1.1.3 Permit the development of a variety of office, retail, commercial services, institutional and light industrial uses that can support the surrounding residential community.



# **Attachment C**

## **Development Agreement**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LOMA LINDA APPROVING AND ADOPTING  
THE DEVELOPMENT AGREEMENT BETWEEN  
KEYSTONE PACIFIC, LLC AND THE CITY OF LOMA  
LINDA

WHEREAS, Government Code Sections 65864 through 68569.5 provide the statutory authority for development agreements between municipalities and persons owning real property interest in the City; and

WHEREAS, the City has received an application to consider a development agreement and proceedings have been taken in accordance with City's rules and regulations, including, without limitation, a public hearing on the application by the Planning Commission and by the City Council; and

WHEREAS, notice of the City Council's intention to consider adoption of a development agreement has been given as provided by law; and

WHEREAS, the City has completed the preparation of an Initial Study and Mitigated Negative Declaration ("MND") in accordance with the California Environmental Quality Act, Public Resources Code sections 21000 et seq. ("CEQA") and its implementing regulations contained in Title 14 of the California Code of Regulations, sections 15000 et seq. (the "CEQA Guidelines"), and has made the MND available to the public and to all interested agencies for review and comment, as required by CEQA; and

WHEREAS, the City has considered all comments and correspondence, if any, received in response to the MND, and the findings and conclusions made by the City pursuant to this Ordinance are based upon all of the oral and written evidence presented to it and taken as a whole.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS. The City Council finds that the provisions of the development agreement are consistent with the General Plan and the Zoning Ordinance of the City of Loma Linda.

SECTION 2. APPROVAL OF DEVELOPMENT AGREEMENT. The City Council hereby approves and adopts the "Development Agreement between Keystone Pacific, LLC and the City of Loma Linda" attached as Exhibit "A" and incorporated by reference. The City Manager and City Clerk of the City of Loma Linda are hereby authorized and directed to execute and attest, respectively, the Agreement on behalf of the City of Loma Linda.

SECTION 3. CEQA. The City hereby finds and ordains that:

A. The MND reflects the independent judgment of the City.

B. There is no evidence that the approval and implementation of the Development Agreement, together with the mitigation measures incorporated pursuant to the MND, will have the potential to cause an adverse effect on wildlife resources or the habitat on which such wildlife depends, and the City finds, on the basis of the substantial evidence in the record, that the presumption of adverse effect set forth in 14 Cal. Code of Regs. § 753.5(d) does not apply.

C. There is no substantial evidence in light of the whole record that the approval and implementation of the Development Agreement, with the mitigation measures incorporated therein, would have a significant effect on the environment.

D. The City hereby approves and adopts the MND and directs staff to:

(1) Prepare and file a Certificate of Fee Exemption with the California Department of Fish and Game pursuant to 14 California Code of Regulations section 753.5; and

(2) Prepare and file a Notice of Determination with the Clerk of the County of San Bernardino and the Office of Planning and Research pursuant to 14 California Code of Regulations section 15075; and

(3) Keep a copy of the MND and all documents referenced therein at the City offices and available for public review.

SECTION 4. RECORDATION. The City Clerk is directed to transmit the development agreement to the County Recorder for recordation no later than ten (10) days after the adoption of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Loma Linda and to cause publication once in The Sun, the official newspaper of the City of Loma Linda, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on \_\_\_\_\_ 2004, and adopted as an ordinance of the City of Loma Linda at a regular meeting of the City Council held on \_\_\_\_\_, 2004 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Karen Gaio Hansberger, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Byrnes-O'Camb, City Clerk

RECORDING REQUEST BY, AND  
WHEN RECORDED, MAIL TO:

City Clerk  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354

---

EXEMPT FROM FILING FEES. CAL. GOV'T CODE § 6103  
(Space above this line for Recorder's use)

**DEVELOPMENT AGREEMENT**

**NO. DA-04-\_\_**

**BETWEEN**

**KEYSTONE PACIFIC, LLC**

**AND**

**THE CITY OF LOMA LINDA**

*(Pursuant to California Government Code Sections 65864 – 65869.5  
and City of Loma Linda Ordinance No. \_\_\_\_)*

**June \_\_, 2004**

**Tentative Tract No. 16730-TT**

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## DEVELOPMENT AGREEMENT NO.

This Development Agreement (hereinafter "**Agreement**") is entered into effective as of the date approved by the City of Loma (hereinafter the "**Effective Date**") by the **CITY OF LOMA LINDA** (hereinafter "**City**"), and **KEYSTONE PACIFIC, LLC**, a California Limited Liability Company (hereinafter "**Owner**");

### RECITALS

WHEREAS, Owner owns property located in the eastern part of the City consisting of the property generally located along Mission Road, west of California, in the City of Loma Linda, also referred to as A.P.N. 0292-121-37, 40, 64, 78 and 80, which property as combined (the "Property") consists of approximately 39.15 acres. The Property is described on **Exhibit "A"** attached and made a part of this Agreement by this reference; and

WHEREAS, Owner proposes to redevelop (or to cause to be redeveloped) the Property as a single family residential subdivision consisting of approximately two hundred sixty-three (263) houses (the "**Project**"); and

WHEREAS, the Project has received approval for a mitigated negative declaration, general plan amendment, [zone change] and tentative tract map as well as a conditional use permit, Owner has applied to City for a subdivision map and this Agreement (the "**Entitlements**"); and

WHEREAS, City is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq., of the Government Code; and

WHEREAS, Owner has requested City to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of City; and

WHEREAS, by electing to enter into this Agreement, City shall bind future City Councils of City by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of City; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by City staff, the Planning Commission and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of City and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all actions taken and approvals given by City have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the property subject to this Agreement, ensure progressive installation of necessary public and private improvements, provide for public services appropriate to the

development of Owner's development project, and generally serve the purposes for which development agreements under Sections 65864, et seq. of the Government Code are intended; and

WHEREAS, on \_\_\_\_\_, 2004, the Planning Commission of the City of Loma Linda (the "Planning Commission"), after giving notice pursuant to Government Code Sections 65854, 65854.5 and 65856, held a public hearing on Owner's application for this Agreement. On \_\_\_\_\_, 2004, the City Council of the City of Loma Linda (the "City Council"), after providing public notice as required by law, similarly held a public hearing to consider Owner's application for this Agreement; and

WHEREAS, the Planning Commission and the City Council have found that this Agreement and the Project contemplated hereby are consistent with the General Plan, the approved tentative map, related project approvals and all other applicable plans, rules, regulations and official policies of City; and

WHEREAS, in accordance with the requirements of CEQA (Public Resources Code Sections 21000 et seq., appropriate studies, analyses, reports or documents were prepared and considered by the Planning Commission and the City Council. After the Planning Commission and the City Council made appropriate findings, the City Council certified, by Minute Order No. LL-2004-\_\_\_\_ adopted on \_\_\_\_\_, 2004, a Mitigated Negative Declaration (the "Environmental Clearance") for the Project in compliance with CEQA; and

WHEREAS, on \_\_\_\_\_, 2004, the City Council adopted Ordinance No. \_\_\_\_\_ approving this Agreement with Owner.

### **COVENANTS**

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

#### **1. DEFINITIONS.**

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "City" means the City of Loma Linda, a political subdivision of the State of California.

1.1.3 "City Council" means the City Council of the City of Loma Linda.

1.1.4 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of residential dwelling units, buildings and structures; and the installation of landscaping. "Development" does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.5 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by City in connection with development of the Property including, but not limited to:

- (a) General plan;
- (b) Tentative and final subdivision and parcel maps;
- (c) Conditional use permits, variances, site plot plans;
- (d) Zoning amendments;
- (e) Grading and building permits;
- (f) Street and utility improvement permits.

1.1.6 “Development Exaction” means any requirement of City in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests. The term “Development Exaction” or “Exaction” shall not include City administrative, permit processing or other City-wide imposed development fees to cover the estimated or actual costs to City of processing applications for Development Approvals, Subsequent Development Approvals, or costs associated with preparation or implementation of this Development Agreement or for monitoring compliance with any Development Approvals which may be granted or issued pursuant to this Agreement.

1.1.7 “Development Plan” means the Development Approvals and the Land Use Regulations applicable to development of the Property, including but not limited to the Environmental Clearance and Tentative Tract Map No. 16730-TT.

1.1.8 “Effective Date” means the date this Agreement is approved by the City.

1.1.9 “Existing Development Approvals” means all Development Approvals approved or issued prior to the Effective Date and all other Approvals which are a matter of public record on the Effective Date.

1.1.10 “Existing Land Use Regulations” means all Land Use Regulations in effect on the Effective Date and all other Development Regulations which are a matter of public record on the Effective Date.

1.1.11 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of City governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any City ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) The conduct of businesses, professions, and occupations;



- (b) Taxes and assessments;
- (c) The control and abatement of nuisances;
- (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
- (e) The exercise of the power of eminent domain.

1.1.12 "Owner" means the persons and entities listed as Owner on page 1 of this Agreement and their successors in interest to all or any part of the Property.

1.1.13 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.14 "Project" means the development of the Property contemplated by the Development Plan as defined herein as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.15 "Property" means the real property described on **Exhibit "A"** to this Agreement and made a part herein by this reference.

1.1.16 "Subsequent Development Approvals" means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.17 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

## 2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out in accordance with the terms of this Agreement.

2.2 Ownership of Property. Owner represents and covenants that it is the Owner of the fee simple title to the Property.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for a period of seven (7) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement.

### 2.4 Assignment.

2.4.1 Right to Assign. Owner shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.) to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement as applied to the Property in whole or in part and be made in compliance with the following conditions precedent:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property;

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, Owner shall notify City, in writing, of such sale, transfer or assignment and shall provide City with an executed agreement, in a form reasonably acceptable to City, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of Owner under this Agreement which apply to the Property in whole or in part being sold, transferred or assigned.

2.4.2 Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and shall no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of all of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,

(b) A Certificate of Occupancy has been issued for a building on the lot.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or canceled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Completion of a referendum proceeding or entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by City or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property prior to the Entitlements approved in connection with this Agreement. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below, or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to City:

City of Loma Linda  
Attn: City Clerk  
25541 Barton Road  
Loma Linda, CA 92354  
Facsimile: (909) 799-2890

With copies to:

Stradling Yocca Carlson & Rauth  
Attention: Mark J. Huebsch, Esq.  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
Facsimile: (949) 725-4100

and

Director of the Community Development Department  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354  
Facsimile: (909) 799-2890

If to Owner:

Keystone Pacific, LLC  
Attn: John Snell  
4959 Palo Verde Street, Suite B110  
Montclair, CA 91763  
Facsimile: (909) 988-5122  
Telephone: (909) 988-9000

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

### 3. DEVELOPMENT OF THE PROPERTY.

3.1 Right to Develop. Subject to the terms of this Agreement including the Reservations of Authority, Owner shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The City shall issue all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan and consistent with the Entitlements. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation of dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Subsequent Development Approvals. This Agreement shall not prevent City, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations which do not conflict with the Development Plan, nor shall this Agreement prevent City from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulations not in conflict with the Development Plan.

3.3 Timing of Development. The parties acknowledge that Owner cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of Owner, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Because the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that Owner shall have the right to develop the Property in such order and at such rate and at such time as Owner deems appropriate within the exercise of its subjective business judgment, subject only to any timing or phasing requirements set forth in the Development Plan.

3.4 [Intentionally Omitted.]

3.5 Changes and Amendments. The parties acknowledge that refinement and further development of the Project may require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event Owner finds that a change in the Existing Development Approvals is necessary or appropriate, Owner shall apply for a Subsequent Development Approval to effectuate such change and City shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. Unless otherwise required by law, as determined in City's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or
- (b) Increase the density or intensity of use of the Property as a whole; or
- (c) Increase the maximum height and size of permitted buildings; or

(d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or

(e) Constitute a project requiring a subsequent or environmental impact report pursuant to Section 21166 of the Public Resources Code.

(f) [Installation of Communications Facilities. To Come]

### 3.6 Reservations of Authority.

3.6.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the development of the Property.

(a) Processing fees and charges imposed by City to cover the estimated actual costs to City of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations governing construction standards and specifications including, without limitation, the Uniform Building, Plumbing, Mechanical, Electrical, and Fire Codes as adopted and amended by the City of Loma Linda.

(d) Regulations which may be in conflict with the Development Plan but which are reasonably necessary to protect the public health and safety. To the extent possible, any such regulations shall be applied and construed so as to provide Owner with the rights and assurances provided under this Agreement.

(e) Regulations which are not in conflict with the Development Plan. Any regulation, whether adopted by initiative or otherwise, imposing a development moratorium or limiting the rate or timing of development of the Property shall be deemed to conflict with the Development Plan and shall therefore not be applicable to the Development of the Property.

3.6.2 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.7 Referenda and Moratorium. It is the express intent of City and Owner that as of the date of this Agreement, this Agreement is a legally binding contract which shall, to the extent permitted by law, prevail over the provisions of any subsequently enacted moratorium, statute, ordinance, limitation or other measure, whether or not enacted by City, or by voter initiative or referendum, and whether or not such initiative, moratorium, referendum, statute, ordinance, limitation or other measure relates, in whole or in part, to the rate, timing, sequencing or phasing of

the development or construction of all or part of the Project or the Development Plan or affects Development Approvals which are issued by City.

In the event any initiative, moratorium, referendum, statute, ordinance, limitation or other measure is enacted subsequent to the Effective Date that would otherwise modify the development rights vested pursuant to this Agreement, Owner reserves the right to challenge any such enactment in a court of law should it become necessary to protect the development rights vested in Owner pursuant to the terms and conditions of this Agreement. Should any initiative or referendum be enacted which would preclude or make not feasible construction of all or any part of the Project, and should such enactment be determined by a court of competent jurisdiction to invalidate or prevail over all or any part of this Agreement, Owner shall have no recourse against City for any damage Owner might sustain as a result thereof so long as the City did not participate in nor support any such initiative or referendum, except City shall provide for and timely implement an equitable program to reimburse Owner for unused fees and for an equitable reimbursement for Public Improvements or fees theretofore made but not required by the extent of development as of the date of the enactment.

3.8 Exactions. All further applications for Development Approvals contemplated by this Agreement, or made in connection with the development, construction, use or operation of the Project hereunder, shall be processed in accordance with the Existing Rules and the standards, terms and conditions of this Agreement, except that (a) City shall not impose thereunder any further Exactions other than those called for under the Existing Approvals and/or as permitted under the provisions of this Agreement, and (b) such applications and Development Approvals thereunder shall not result in the imposition upon Owner of any additional requirements, other than those already imposed pursuant to the Development Approvals, or otherwise permitted under the provisions of this Agreement.

3.9 Tentative Subdivision Map Extension. Tentative subdivision map(s), heretofore or hereafter approved in connection with development of the Property, shall be granted an extension of time for up to the seven (7) year term of this Agreement.

3.10 City Fees.

3.10.1 Payment of Fees. Owner shall pay all City administrative, permit processing and other city-wide imposed development fees in accordance with the master City Fees Schedule in effect at the time fees are paid.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs which will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on Owner which should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance that private benefit conferred on Owner by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Agreement Fee. Owner agrees to pay to City in connection with each residential dwelling built within the Project the corresponding amounts as set forth in **Exhibit "C"**, including escalation, as a Development Agreement Fee; Exhibit "C" is attached and made a part of

this Agreement by this reference ("Development Agreement Fee Schedule"). The Development Agreement Fee shall be paid, on a per-unit basis as shown at Exhibit "C", within two (2) business days after final building inspection or if certificate(s) of occupancy are issued, then concurrent with issuance of such certificate(s).

4.3 Street Names. All streets and public facilities located in the Development shall require approval by the City Department of Community Development.

5. REVIEW FOR COMPLIANCE.

5.1 Periodic Review. The Director of the Community Development Department shall review this Agreement on or before the first anniversary of the Effective Date, in order to ascertain the good faith compliance by Owner with the terms of the Agreement. Owner shall submit a Monitoring Report, in a form acceptable to the Director of the Community Development Department, within thirty (30) days after written notice from the Director of the Community Development Department.

5.2 Procedure.

(a) During either a periodic review or a special review, Owner shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on Owner.

(b) Upon completion of a periodic review, the Director of the Community Development Department shall submit a report to the City Council setting forth the evidence concerning good faith compliance by Owner with the terms of this Agreement and his or her recommended finding on that issue.

(c) If the City Council finds on the basis of substantial evidence that Owner has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the City Council makes a preliminary finding that Owner has not complied in good faith with the terms and conditions of this Agreement, the City Council may modify or terminate this Agreement as provided in Section 5.3 and Section 5.4. Notice of default as provided under Section 6.3(b) of this Agreement shall be given to Owner prior to or concurrent with, proceedings under Section 5.3 and Section 5.4 or Section 6.5.

5.3 Proceedings Upon Modifications or Termination. If, upon a finding under Section 6.2, City determines to proceed with modification or termination of this Agreement, City shall give written notice to Owner of its intention so to do. The notice shall be given at least ten (10) calendar days prior to the scheduled hearing and shall contain:

(a) The time and place of the hearing; and

(b) A statement as to whether or not City proposes to terminate or to modify the Agreement; and

(c) Such other information as is reasonably necessary to inform Owner of the nature of the proceeding.

5.4 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, Owner shall be given an opportunity to be heard. Owner shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. If the City Council finds, based upon substantial evidence, that Owner has not complied in good faith with the terms or conditions of the Agreement, the City Council may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the City. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the California Code of Civil Procedure.

5.5 Certificate of Agreement Compliance. If, at the conclusion of a Periodic Review, Owner is found to be in compliance with this Agreement, City shall, upon request by Owner, issue a Certificate of Agreement Compliance ("Certificate") to Owner stating that after the most recent Periodic Review and based upon the information known or made to the Director of the Community Development Department and the City Council that (1) this Agreement remains in effect and (2) Owner is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance. Owner may record the Certificate with the County Recorder.

## 6. DEFAULT AND REMEDIES.

6.1 Enforcement. Unless amended or canceled as herein provided, this Agreement is enforceable by any party to it notwithstanding a change in the applicable general or specific plan, zoning, subdivision, or building regulations adopted by the City which otherwise would alter or amend the rules, regulations, or policies governing permitted uses of the Property, density, design, improvement, and construction standards and specifications applicable to the Development Plan.

6.2 Events of Default. A party to this Agreement is in default under this Agreement upon the happening of one or more of the following events or conditions:

(a) If a warranty, representation or statement made or furnished by Owner to City or City to Owner is false or proves to have been false in any material respect when it was made;

(b) A finding and determination by City or Owner that upon the basis of substantial evidence the City or Owner has not complied in good faith with one or more of the terms or conditions of this Agreement.

### 6.3 Procedure Upon Default.

(a) Upon the occurrence of an event of default, the non-defaulting party may terminate or modify this Agreement in accordance with the procedures set forth in Subsection 6.3(b) below.

(b) The party claiming default shall provide written notice to the other party specifying the event of default and the steps the other party must take to cure the default. If, within thirty (30) days after the effective date of such notice, the other party does not commence all steps reasonably necessary to bring itself into compliance as required and thereafter diligently pursue such steps to completion, then the other party shall be deemed to be in default under the terms of this Agreement.



(c) All other remedies at law or in equity which are not otherwise provided for in this Agreement or in City's regulations governing development agreements are available to the parties to pursue in the event there is a breach.

6.4 Owner's Default. In the event of any default by Owner, in addition to any other remedies which may be available to City, whether legal or equitable, City shall be entitled to retain any fees, grants, dedications or improvements to public property which it may have received prior to Owner's default without recourse from Owner or its successors or assigns.

6.5 Indemnity. Owner shall indemnify and hold City, its officers, agents and employees and independent contractors free and harmless from any claims or liability based or asserted upon any act or omission of Owner, its officers, agents, employees, subcontractors and independent contractors for property damage, bodily injury, or death (Owner's employees included) or any other element or damage of any kind or nature, relating to or in any way connected with or arising from the activities provided in this Agreement. Owner shall defend, at its expense, including payment of attorneys' fees, City, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. City may in its discretion participate in the defense of any such legal action.

6.6 Environmental Indemnity. Owner shall defend, indemnify and hold City, its officers, agents, employees, and independent contractors free and harmless from any claims or liability based upon or arising from the presence of any Hazardous Substance on any of the Property located in the Project. As used herein, "Hazardous Substance" shall mean any "hazardous substances," "toxic substance," "hazardous waste," or "hazardous material" as defined in one or more Environmental Laws, whether now in existence or hereinafter enacted; provided, however, that "Hazardous Substance" shall (i) include petroleum and petroleum products (other than naturally occurring crude oil and gas) and (ii) include radioactive substances which are not naturally occurring, and (iii) include any friable or non-friable asbestos or asbestos-containing material contained in or affixed to a structure existing on the Property or otherwise located in, on or about the Property as of the date of this Agreement. As used herein, "Environmental Laws" shall mean any and all federal, state, municipal and local laws, statutes, ordinances, rules, and regulations which are in effect as of the date of this Agreement, or any and all federal, or state laws, statutes, rules and regulations which may hereafter be enacted and which apply to the Property or any part thereof, pertaining to the use, generation, storage, disposal, release, treatment or removal of any Hazardous Substances, including without limitation, the Comprehensive Environmental Response Compensation Liability Act of 1980, 42 U.S.C. Sections 9601, et seq., the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Sections 6901, et seq., ("RCRA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Clean Water Act, 33 U.S.C. Section 1251, et seq., and California Health and Safety Code Section 25100, et seq. Owner acquired the Property pursuant to real property purchase and sales agreements entered into with Nosratollah Morovati, et al., and R.H. Paxton (collectively, the "**Purchase Agreements**"). To the extent that Owner is or may be entitled to defense or indemnification from one or more of the Prior Owners in connection with the presence of any such Hazardous Substances on the Property as provided in one or more of the Purchase Agreements, Owner shall assert any such defenses or indemnification rights on behalf of City, its officers, agents, employees, and independent contractors, or assign such rights to City, at City's option. However, Owner's obligation to defend, indemnify and hold harmless City and its officers, employees, agents or independent contractors from any claims or liability in connection with or arising from the presence of any Hazardous Substance on the Property or any portion thereof shall not be in any way limited or eliminated by the terms of the Purchase Agreements, and Owner's

obligation hereunder shall survive the termination of this Development Agreement, no matter how caused. Notwithstanding anything herein to the contrary, Owner shall have no obligation to indemnify the City as herein provided with respect to any Hazardous Substances which are proven by Owner to have been first brought onto the Property subsequent to the sale by the Owner of the Property, or the affected portions thereof.

7. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit Owner, in any manner, at Owner's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. City acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with Owner with representatives of such lenders to negotiate in good faith any such request for interpretation or modification. City will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee has submitted a request in writing to the City in the manner specified herein for giving notices, shall be entitled to receive written notification from City or any default by Owner in the performance of Owner's obligations under this Agreement.

(c) If City timely receives a request from a Mortgagee requesting a copy of any notice of default given to Owner under the terms of this Agreement, City shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to Owner. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have any obligation or duty under this Agreement to perform any of Owner's obligations or other affirmative covenants of Owner hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by Owner is a condition precedent to the performance of a covenant by City, the performance thereof shall continue to be a condition precedent to City's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

## 8. MISCELLANEOUS PROVISIONS.

8.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the County Recorder by the City Clerk within the period required by Section 65868.5 of the Government Code.

8.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings, or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

8.3 Severability. If any terms, provisions, covenants or conditions of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provisions of Development of the Property set forth in Section 3 and the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and City and Owner would not have entered into this Agreement but for such provisions and if determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

8.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed by interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

8.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

8.6 Singular and Plural. As used herein, the singular of any word includes the plural.

8.7 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

8.8 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

8.9 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

8.10 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the terms of this Agreement shall not be extended under any circumstances for more than two (2) years as a result of any such force majeure event.

8.11 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed by such benefited party.

8.12 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

8.13 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

8.14 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

8.15 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between City and Owner is that of a government entity regulating the development of private property and the Owner of such property.

8.16 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

8.17 Authority to Execute. The person(s) executing this Agreement on behalf of Owner warrants and represents that he, she or they has/have the authority to execute this Agreement on behalf of his, her or their corporation, partnership or business entity and warrants and represents that he, she or they has/have the authority to bind Owner to the performance of its obligations hereunder.

8.18 Cooperation. City agrees that it shall accept for processing and promptly take action on all applications, provided they are in a proper form and acceptable for required processing, for discretionary permits, tract or parcel maps, or other land use entitlements for development of the Project in accordance with the provisions of this Agreement. City shall cooperate with Owner in providing expeditious review of any such applications, permits or land use entitlements and, upon request and payment of any costs and/or extra fees associated therewith by Owner, City shall assign such review to Project planner(s), building inspector(s), other staff personnel and/or contract planning or engineering consultants as required to insure the expeditious review, processing and completion of the Project.

*[Signature page follows]*

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date as described above.

**“CITY”**

THE CITY OF LOMA LINDA, a municipal corporation of the State of California

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Pamela Byrnes-O’Camb, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stradling Yocca Carlson & Rauth  
By: Mark J. Huebsch, Esq.

**“OWNER”**

KEYSTONE PACIFIC, LLC a California Limited Liability Company

By: Apex Holdings, LLC, a Delaware Limited Liability Company, Managing Member

By: \_\_\_\_\_  
Its: Alex S. Xu, Managing Member

*ALL SIGNATURES ARE TO BE ACKNOWLEDGED  
BEFORE A NOTARY PUBLIC*

STATE OF CALIFORNIA

COUNTY OF San Bernardino

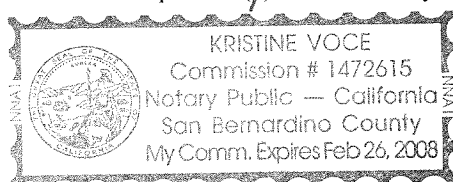
On June 10, 2004, before me, Kristine Voce, Notary Public,  
(Print Name of Notary Public)

personally appeared Alex S. Xu

☐ personally known to me

-or-

☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Kristine Voce  
Signature Of Notary

### OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

#### CAPACITY CLAIMED BY SIGNER

#### DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual  
☐ Corporate Officer

\_\_\_\_\_  
Title(s)

\_\_\_\_\_  
Title Or Type Of Document

- ☐ Partner(s) ☐ Limited  
☐ Attorney-In-Fact ☐ General  
☐ Trustee(s)  
☐ Guardian/Conservator  
☐ Other: \_\_\_\_\_

\_\_\_\_\_  
Number Of Pages

Signer is representing:  
Name Of Person(s) Or Entity(ies)

\_\_\_\_\_  
Date Of Documents

\_\_\_\_\_  
Signer(s) Other Than Named Above

STATE OF CALIFORNIA )

) ss.

COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(Print Name of Notary Public)

personally appeared \_\_\_\_\_

☐ personally known to me  
-or-

☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature Of Notary

### OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

#### CAPACITY CLAIMED BY SIGNER

#### DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual  
☐ Corporate Officer

\_\_\_\_\_  
Title(s)

\_\_\_\_\_  
Title Or Type Of Document

- ☐ Partner(s)      ☐ Limited  
                         ☐ General  
☐ Attorney-In-Fact  
☐ Trustee(s)  
☐ Guardian/Conservator  
☐ Other: \_\_\_\_\_

\_\_\_\_\_  
Number Of Pages

Signer is representing:  
Name Of Person(s) Or Entity(ies)

\_\_\_\_\_  
Date Of Documents

\_\_\_\_\_  
Signer(s) Other Than Named Above



**EXHIBIT "A"**

**DESCRIPTION OF PROPERTY**

[To Come]

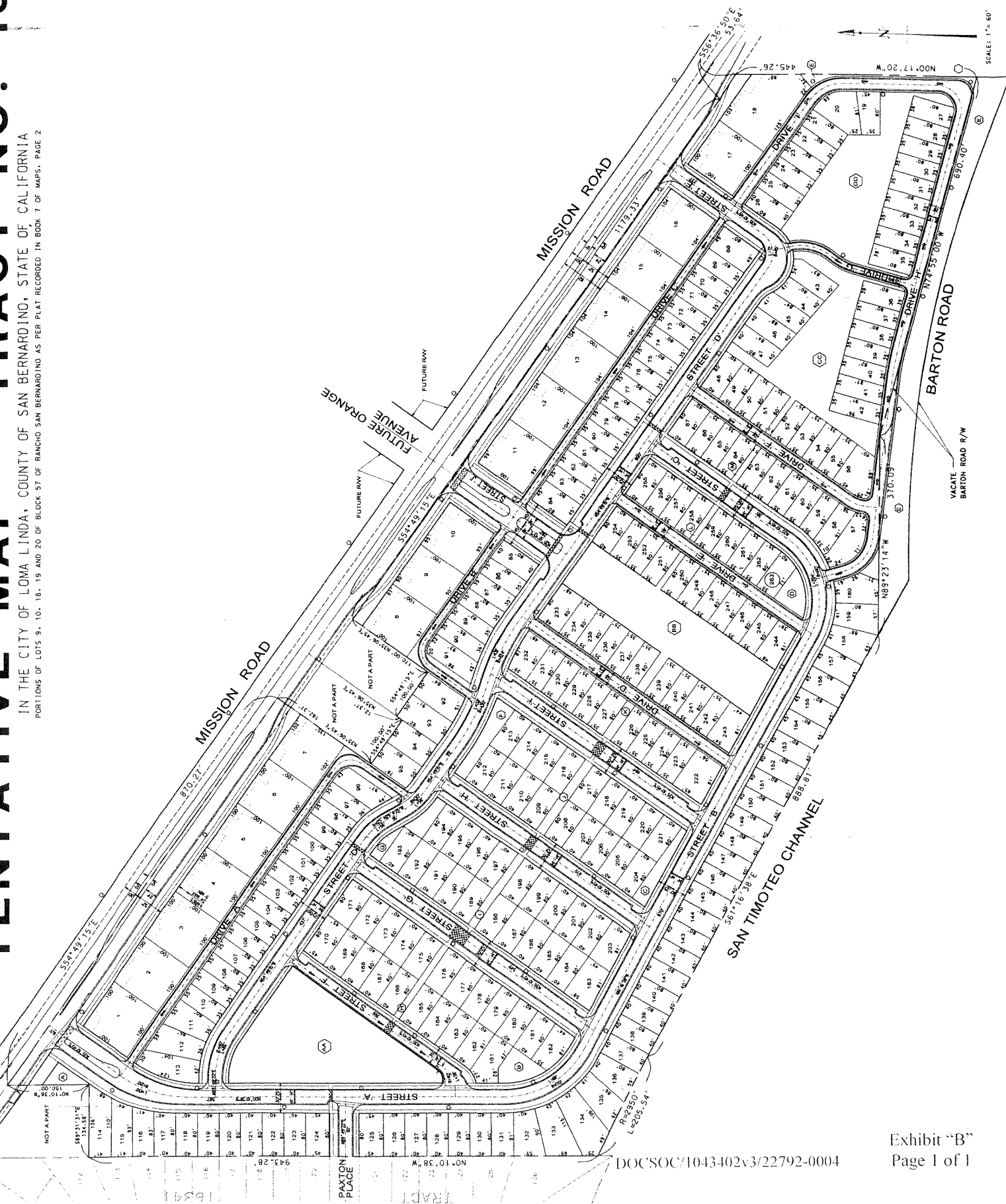
Assessor's Parcel Nos.: 0292-121-37, 40, 64, 78 and 80.

19730

IN THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA  
PORTIONS OF LOTS 9, 10, 18, 19 AND 20 OF BLOCK 57 OF RANCHO SAN BERNARDINO AS PER PLAT RECORDED IN BOOK 7 OF MAPS, PAGE 2

**EXHIBIT "B"**

**LAND USE MAP**



**EXHIBIT "C"**

**DEVELOPMENT AGREEMENT FEE SCHEDULE<sup>1</sup>**

Number of bedrooms	Per unit affordable payment fee <sup>2</sup>
1-4 br	\$5,694
5 br	\$6,887
6 br	\$8,418
7 or more br	\$9,107

<sup>1</sup> All amounts set forth shall increase three percent (3%) as of the first anniversary of the Effective Date and each anniversary thereafter.

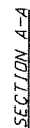
<sup>2</sup> Amounts shown are based upon 263-unit development. If the number of units is modified, higher per unit fees may apply based upon a schedule maintained by the City on file with the City Clerk.

# **Attachment D**

**Tentative Tract Map No. 16730**



IN THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA  
PORTIONS OF LOTS 9, 10, 18, 19 AND 20 OF BLOCK 57 OF RANCHO SAN BERNARDINO AS PER PLAT RECORDED IN BOOK 7 OF MAPS, PAGE 2



**Goodman & Associates**



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[illegible]

PRELIMINARY GRADING AND UTILITY PLAN

CITY OF LOMA LINDA

TRACT NO. 16730

SCALE:  
1" = 60'

# TENTATIVE MAP - TRACT NO. 16730

IN THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA  
PORTIONS OF LOTS 9, 10, 18, 19 AND 20 OF BLOCK 57 OF RANCHO SAN BERNARDINO AS PER PLAT RECORDED IN BOOK 7 OF MAPS, PAGE 2

## PHASING PLAN

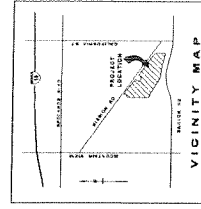
### LEGEND:

- INFRA-STRUCTURE PHASE LINE
- INFRA-STRUCTURE PHASE 1
- INFRA-STRUCTURE PHASE NUMBER
- HOUSE CONSTRUCTION PHASE LINE
- HOUSE CONSTRUCTION PHASE NUMBER
- MAJOR PARK NUMBER
- MINOR PARK LETTER
- DESIGNATES FRONT GARAGE PHASE
- DESIGNATES REAR GARAGE PHASE
- DESIGNATES MODEL
- DESIGNATES MODEL PARKING LOT

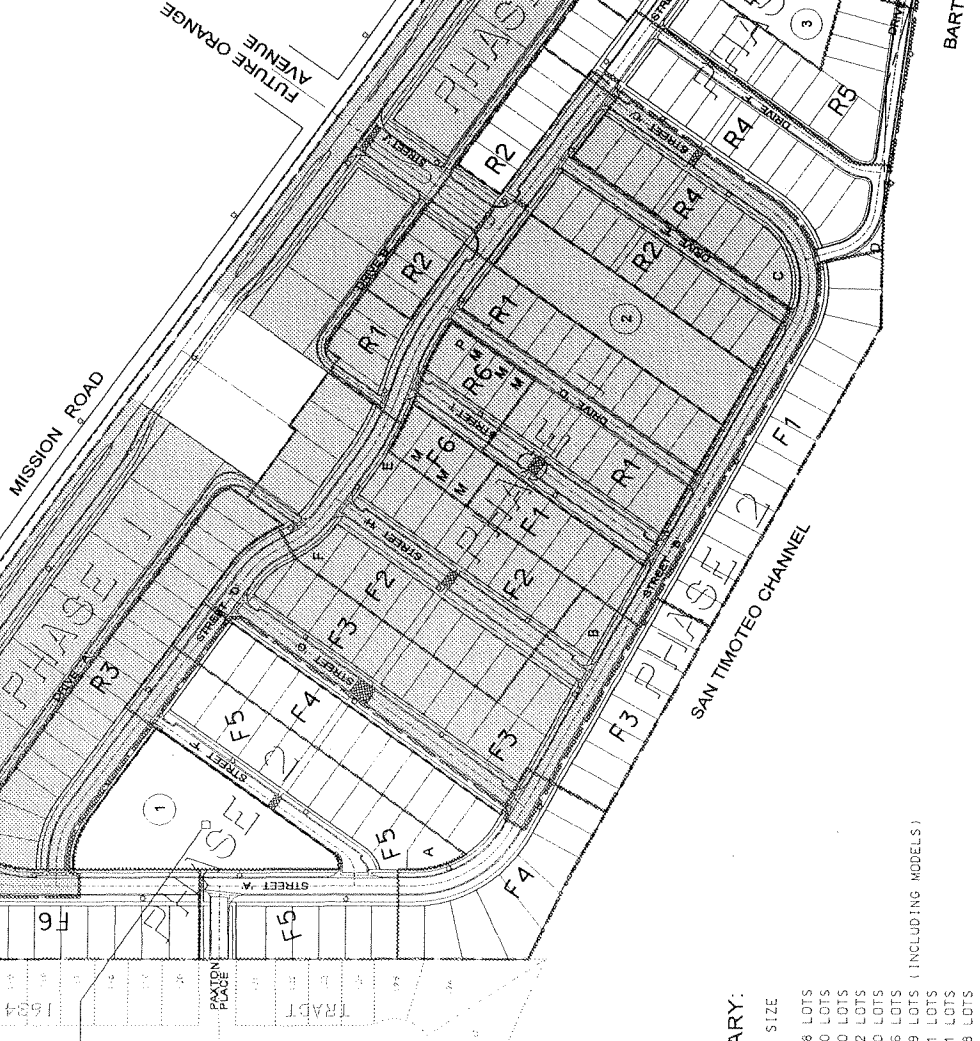
### NOTE:

PARK PHASING - PARK TO BE COMPLETE PRIOR TO OCCUPANCY OF ANY ADJACENT HOME, BY PHASE

- PARK 1 - PHASE F5
- PARK 2 - PHASE R1
- PARK 3 - PHASE R5
- PARK 4 - PHASE R6
- PARK A - PHASE F5
- PARK B - PHASE F2
- PARK C - PHASE R2
- PARK D - PHASE F1
- PARK E - PHASE F2
- PARK F - PHASE F2



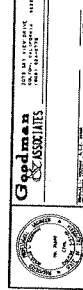
SCALE: 1" = 60'



### PHASE SUMMARY:

PHASE	SIZE
MISSION ROAD	18 LOTS
F1	20 LOTS
F2	20 LOTS
F3	22 LOTS
F4	20 LOTS
F5	16 LOTS
F6	19 LOTS (INCLUDING MODELS)
R1	21 LOTS
R2	21 LOTS
R3	18 LOTS
R4	23 LOTS
R5	20 LOTS
R6	25 LOTS (INCLUDING MODELS)
TOTAL	263 LOTS

CONNECTED COMMUNITIES STRUCTURE TO BE BUILT WITH PHASE 1



Goodman & Associates

CITY OF LOMA LINDA, CALIFORNIA

PHASING PLAN

CITY OF LOMA LINDA

TRACT NO. 16730

SCALE: 1" = 60'

SHEET 1 OF 1

# **Attachment E**

## **Conditions of Approval**



**ATTACHMENT E**  
**CONDITIONS OF APPROVAL**  
**TENTATIVE TRACT MAP 16730**

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. The following specific requirements shall also apply:

**1. COMMUNITY DEVELOPMENT DEPARTMENT**

- 1.1 Within two years of this approval, the Tentative Tract Map shall be exercised or the permit/approval shall become null and void. These subdivisions shall be granted an extension of time for up to the ten (10) year term of the Development Agreement.
- 1.2 In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 1.3 The proposed small lot subdivision shall conform to all provisions of Title 16 of the Loma Linda Municipal Code (LLMC).
- 1.4 All of the items specified in the Development Agreement shall be made conditions of this project.
- 1.5 Mitigation measures listed in the Mitigated Negative Declaration shall be made conditions of this project.
- 1.6 The applicant shall submit proposed street names to the Community Development Department for review by the Historical Commission and the approval of the City Council pursuant to the City of Loma Linda Park and Facilities Names Policy Procedure.
- 1.7 The project and future development and/or improvements shall conform to the approved Mission Creek Planned Community Document.

- 1.8 The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.
- 1.9 The trash receptacle location and design shall be approved by the waste hauler company and written proof of the approval shall be provided to the Community Development Department prior to issuance of building permits.
- 1.10 All plans for building construction shall comply with the latest edition of the California Building Code (CBC).
- 1.11 A water test shall be required to determine if water is aggressive to copper or metal pipe. The Ph and dissolved oxygen contents must be provided in the water test and results submitted to the Building Division prior to issuance of building permits. If plastic pipe is proposed, approval from the Building Division shall be required prior to issuance of building permits.
- 1.12 Approval of TTM 16370, GPA 04-01, ZC 04-01 and PPD 04-03 is contingent upon the applicant and property owners signing and returning an "Agreement to Conditions Imposed" form as established by the Community Development Department.

### **Architecture**

- 1.13 A phasing plan shall be submitted to the Community Development Department for review and approval prior to issuance of any permits. The plan shall illustrate the location of models, proposed temporary fencing for the models and location and quantity of parking spaces for the models, temporary sales offices and construction trailer.
- 1.14 The Loma Linda Connected Communities Hub structure located in the western most park site shall be completed prior to occupancy of phase one.
- 1.15 Sales model complex and common areas shall provide access to disabled persons. Provide notes to indicate accessible paths of travel to the sales area including pedestrian gates, sidewalks and accessible parking. A parking space at the model complex area shall be designated as van accessible with an eight-foot aisle.
- 1.16 The applicant shall note on the final plans that a six-foot-high chain-link fence shall be installed around the site prior to building construction stages. Gated entrances shall be permitted along the perimeter of the site for construction vehicles.

- 1.17 The proposed color schemes, specifically the wall base color, shall be modified to create more of a contrasting difference between the base colors for the following schemes:
1. Schemes #5 and #15;
  2. Schemes #13, #14, and #4;
  3. Schemes #3 and #8;
  4. Schemes #7 and #12; and,
  5. Schemes #1, #2, and #11
- 1.18 All colors and materials shall be reviewed and approved by the Community Development Department prior to issuance of building permits.
- 1.19 The proposed composition roof tiles shall be a 40-year material.
- 1.20 The architectural style of the same house plan shall not be side by side. The same color/material schemes of any plan shall not be side by side or across a street or alley.
- 1.21 The placement of residences on corner lots shall be modified to ensure that the wrap around porch and the side entry plans are plotted for the corner lots.
- Lots plotted with Plan 1700: 26, 27, 35, 36, 48, 57, 67, 68, 84, 85, 113, 232, 233, 234, and 255.
- Lots plotted with Plan 2700: 83, 124, 125, 160, 170, 171, and 203.
- 1.22 The placement of residences on Mission Road shall be modified to ensure that the same residence is not beside on another. Therefore, the following changes should be made to the Site Plan:
- Lot 10 – Plan 1  
Lot 11 – Plan 2  
Lot 12 – Plan 1  
Lot 13 – Plan 2  
Lot 14 – Plan 1  
Lot 15 – Plan 2  
Lot 16 – Plan 1
- 1.23 Final street light style and specifications shall be included in the working drawings, subject to review and approval of the Community Development Department prior to issuance of permits for the production homes.

- 1.24 Where appropriate wrap around porches shall be placed on the residences. Review and approval of site plan illustrating additional wrapped porches shall be conducted by the Community Development Department.
- 1.25 Garage door designs shall be reviewed and approved by the Community Development Department.
- 1.26 A window shall be provided above the kitchen sink in Mission Road Plan 2.
- 1.27 A window shall be added to the right side of plan 2100 to break up the massing of the blank wall.
- 1.28 The mailbox kiosks shall be architecturally enhanced. The final mailbox architectural details indicating color and exterior treatment shall be included in the working drawings, subject to review and approval of the Community Development Department to issuance of permits for the production homes.

### **Landscaping**

- 1.29 The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
- 1.30 Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan, the approved Landscape Guidelines for Mission Trails, and these conditions of approval.
- 1.31 All parks shall be designed to comply with the handicap provisions of the CBC.
- 1.32 The optional parking proposed within each park, illustrated in the landscape plans dated June 3, 2004 on page LC-7 (addressing the east side of the tract) shall be implemented into the overall design of each park.
- 1.33 All fencing around the yard areas shall be installed with the houses and shall be illustrated on the final landscape plan.
- 1.34 Wrought iron and wood fencing in side and rear yards shall be a maximum of five feet six inches in height. The picket fencing in the front yards shall be a maximum of three feet in height.
- 1.35 The wood and vinyl fencing shall be finished with the same color.

- 1.36 All fencing adjacent to any public park shall be wrought iron.
- 1.37 The side yards shall be enclosed adjacent to and facing Mission Road, with split face concrete block walls.
- 1.38 The courtyard wall concrete cap along Mission Road shall be consistent with the development to the west. The cap shall be 2" X 10" X 16" "Pitched Cap" by Riverside Stone Veneer or its equal. Each pilaster shall have a 18" X 18" concrete cap by Riverside Stone Veneer in a "Natural" concrete color.
- 1.39 Pilaster light fixtures shall be reviewed and approved by the Community Development Department prior to issuance of permits for the production homes.
- 1.40 The block wall along the southeastern tract boundary shall be two sided split face block.
- 1.41 A pedestrian walkway shall be provided directly from the front entry to the sidewalk.
- 1.42 A concrete pedestrian walkway shall be provided from the driveway to the side yard gate where the receptacle containers are stored. A pad for the receptacle containers shall be provided and reviewed by the Community Development Department prior to issuance of building permits. The pad shall be large enough to accommodate three containers.
- 1.43 The trail on Mission Road shall match the color and design of similar trail on the development to the west. The internal trail shall also match the color and design of similar trail in the development to the west.
- 1.44 Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modification to the placement of one street tree, as specified, in front of each house shall be reviewed and approved by the Community Development Department prior to issuance of permits.
- 1.45 The tipu tree proposed as street trees shall be replaced with either the Chinese Pistache or Elm tree of same size. The tipu tree can be planted in the park areas.
- 1.46 Root guards shall be placed around the roots of all trees to be planted in the front, exterior side yards, yards adjacent to alleys and in the parkways.
- 1.47 The developer shall provide landscaping for the front yard, exterior side yard and rear yards outside of the fence adjacent to an alley for each dwelling unit and shall also provide landscaping for all common areas including parks, trails and parkways.

- 1.48 A six (6) foot block wall shall be constructed adjacent to the lot line of the existing lot on the west side of the tract (26101 Mission Road). The block wall shall be split face block with landscaping planted adjacent to the wall to soften the wall appearance. The colors, materials, and plant species shall be reviewed and approved by the Community Development Department.
- 1.49 Tot lots shall be accessible to all children including children with disabilities.

**Noise**

- 1.50 Indicate the location of air conditioner condensers in the yards and address the noise level issues according to City of Loma Linda Noise Ordinance.
- 1.51 During construction of the site, the project shall comply with Section 9.20.050 (Prohibited Noises) of the Loma Linda Municipal Code, which requires that exterior construction activities and any interior construction activities that would effect exterior noise levels cease between the hours of 6:00 p.m. to 7:00 a.m.

**Cultural Resources**

- 1.52 Full-time monitoring by a licensed archeologist during all grubbing, grading, and utility trenching activities where intact soils below the upper 2 feet of grade are disturbed. Native American tribal monitors (from groups indicated by the NAHC) shall be hired by the project proponent and shall be on site during the grubbing, grading, and utility trenching phases of the project. These monitors shall also be on-site during any archaeological Phase 2 testing or Phase 3 (excavation) work.
- 1.53 If human remains be discovered during construction activities, all work in the area shall be suspended and the San Bernardino County Coroner shall be notified of the discovery. Work shall not resume until the Coroner has approved resumption of activities.
- 1.54 In the event that fossil resources are uncovered during construction, a qualified vertebrate paleontologist must be retained to develop a program to mitigate for impacts to nonrenewable fossil resources.
- 1.55 Should potentially significant buried cultural resources be uncovered during construction, such resources should be tested by a qualified archaeologist for historical significance prior to continuing construction or grading.

## **2. PUBLIC SAFETY DEPARTMENT**

- 2.1 All construction shall meet the requirements of the editions of the *Uniform Building Code* (UBC)/California Building Code (CBC) and the *Uniform Fire Code* (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 2.2 Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.240, and as further modified herein, all future buildings to be constructed within the area of the tract shall be equipped with fully automatic fire sprinkler systems meeting the requirements of National Fire Protection Association (NFPA) 13D. 13D Section 4-6 shall be modified so as to provide additional sprinkler coverage beyond that specified in the standard, e.g., in garages, attached porches, additional small rooms and concealed spaces, etc. (specific language will be provided at the time of plan review).
- 2.3 Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler systems shall be submitted to Fire Prevention for review and approval prior to installation.
- 2.4 A utility improvement plan showing the proposed locations for fire hydrants shall be submitted to Fire Prevention for review and approval as part of the plan review process (may be done in conjunction with Public Works Engineering plan review).
- 2.5 No parking shall be permitted on two-way Drives A, B, C, D, E, F, G, H, I and Street J. Parking on one side only shall be permitted on street F.
- 2.6 Building addresses shall be as assigned by the Public Safety Department upon submittal of a working copy of the Final Tract Map.
- 2.7 Illuminated house address numbers shall be provided. Addresses shall be a minimum height of four inches and visible from the public right-of-way.

## **3. PUBLIC WORKS DEPARTMENT**

- 3.1 Record a Final Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act prior to issuance of all permits.
- 3.2 At the time of Final Tract Map submittal, include the following: Traverse calculations (sheets), copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. The traverse calculation sheets to show error of closure. Inverse calculations will not be acceptable for plan check review.

- 3.3 Provide to the maximum extent practicable, for the recycling and reuse of construction and demolition debris. The City of Loma Linda C & D policy applies, a reuse/recycle plan is required with periodic disposal/recycle/reuse reports. A progress report is required prior to release of any temporary or final certificate of occupancy. A concrete washout area shall be provided and maintained.

***Soils/Geology/Grading***

- 3.4 Submit grading plans, preliminary soils report and hydrology/hydraulic study to the Public Works Department for review and approval. The precise grading plan for the project must be approved prior to issuance of any building permits. NPDES regulations apply. A copy of your approved SWPPP and NOI issued by the State Water Resources Control Board shall be submitted to the Public Works Department.
- 3.5 Submit and obtain Public Works Department approval of an erosion/sediment control plan to minimize potential increases in erosion and sediment transport during short-term construction and long term operational activity prior to issuance of any grading or building permits.
- 3.6 Dust control will be made a condition of the grading plans for this project.
- 3.7 Submit structural design and location for any required walls for review by the Building and Safety Department.
- 3.8 Submit geology report, prepared by a licensed engineering geologist, filed with and approved by the Public Works Department prior to recordation. Submit deposit to cover the costs of the review with the report. An additional deposit may be required or a refund issued when the costs do not match the deposit. Pay review costs in full prior to recordation of the Final Map.
- 3.9 Soil sampling and analysis of visibly stained soils will be conducted prior to any grading or earthmoving activities. Certification that this work has been completed by a licensed engineering geologist, filed with and approved by the Public Works Department, shall be provided prior to the issuance of any grading permits. Any soil that is determined to contain contaminants in hazardous concentrations will be properly treated and/or removed by a qualified hazardous waste company.
- 3.10 Submit original wet signed and stamped grading certifications from the soils engineer and the grading engineer, along with compaction reports to the Public Works Department.



- 3.11 Grading operations for the site will be conducted over the entire site to ensure that soil mixing and aeration to a depth of at least 4 feet below ground surface will occur.
- 3.12 The precise grading plan for the project must be approved by the City of Loma Linda prior to issuance of any building permits.
- 3.13 Submit final grade certifications, by the grading engineer, to the Public Works Department prior to issuance of any Certificate of Occupancy.

***Street Improvements***

- 3.14 The project traffic report (MMA 2004) identifies a number of roadway and intersection improvements that will be needed in the future to maintain City Level of Service requirements. The developer shall make a proportionate (i.e., "fair share") contribution towards the funding for these various improvements. The proposed project's contribution to future growth in traffic would range from approximately 3.9 percent at the intersection of California Street and Barton Road to 19.6 percent at the intersection of Mountain View Avenue and Mission Road. Based on recent CEQA case law, payment of mitigation fees into an established mitigation program is considered adequate mitigation for traffic impacts. As an alternative, the City may request the developer construct one or more planned improvements within the study area as an in lieu contribution for part or all of the project's "fair share" traffic requirements. This measure shall be implemented to the satisfaction of the City Traffic Engineer.
- 3.15 Install or bond for all off-site improvements prior to recording the final map.
- 3.16 A subdivision agreement between the project proponent and the City will be approved which provides for proportionate assessment of costs for storm drain and street improvements required for Mission Road and the proposed parks. In lieu of paying park fees and the proportionate assessment of the storm drain improvement costs, as stated above, the project proponent may install parks, the storm drain required for Mission Road, and the required street improvements to the Mission Road right-of-way including the north travel lane adjacent to the project area within the City acquired right of way. A subdivision agreement between the project proponent and the City will be approved which provides for proportionate reimbursement of costs for the parks, storm drain, and street improvements installed by the project proponent.

- 3.17 Construct full street improvements (including, but not limited to curb and gutter, asphalt concrete pavement, aggregate base, sidewalk, one drive approach per lot, and street lights) on all interior streets. The widths of the right-of-way shall be as indicated in Condition 3.33 and as shown on the Tentative Tract Map No. 16730 date stamped June 9, 2004, and on file with the City of Loma Linda Community Development Department.
- 3.18 Corner cutoffs at all right-of-way lines in accordance with the City standards.
- 3.19 Street light locations are to be approved by the City of Loma Linda. Streetlights shall be installed and energized prior to release for occupancy for any houses. Streetlights shall be of the mission bell design and consistent with developments in the Mission Road historic overlay district.
- 3.20 Any streets damaged as a result of new services will be repaired as required by the Public Works Department.
- 3.21 Provide adequate corner sight distance per Caltrans standards at intersection and submit verification of same to the Public Works Department as required in conjunction with plan checking of the street improvement plans.
- 3.22 Install street name signs and traffic control signs with locations and types approved by the Public Works Department.
- 3.23 "Record Revisions" made to all plans to reflect the changes to the improvements as constructed.
- 3.24 Slurry seal prior to final bond release or a cash payment made in lieu of slurry seal, after all houses are constructed.
- 3.25 Submit a thorough evaluation of the structural road section, from a qualified soil engineer, to the Public Works Department. Include a recommended street structural section, designed for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum section is 3-1/2" A.C./6" C.A.B. for local streets and 4" A.C./6" C.A.B. for collector streets. The Public Works Department will provide the traffic index.
- 3.26 Design public improvements including sidewalk, drive approaches and handicap ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code.

### Dedication

- 3.27 Public utility easements shall be dedicated to cover all utilities either by map or separate document.
- 3.28 Install street name signs and traffic control signs with locations and types approved by the Public Works Department.
- 3.29 Stripe and sign for bike lanes on roadways designated by the City for bike lanes.
- 3.30 "Record Revisions" shall be made to all plans to reflect the changes to the improvements as constructed.
- 3.31 Dedicate interior street rights-of-way and all necessary easements by Final Map or separate document.
- 3.32 Dedicate by Final Map or separate document of the following rights-of-way on the following streets:

10	feet to centerline	<u>Interior Drive A, B, C, and G</u>
14	feet to centerline	<u>Interior Drive D, E, F, H and I</u>
45	feet to centerline	<u>Interior Street J</u>
25 & 10	feet to centerline	<u>One Way Street F</u>
30	feet to centerline	<u>Interior Streets A, B, C, D, E, G, H, &amp; I</u>
52	feet to centerline	<u>Mission Road</u>
25 & 30	feet to centerline	<u>Paxton Place</u>

\* Width of right-of-way varies as illustrated on Tentative Tract Map.

Note: Corner P/L radius or cutoff required on all street intersections.  
Dedication by Final Map unless otherwise approved by the Public Works Department.

- 3.33 Vehicular access rights shall be dedicated for Mission Road and Paxton Place
- 3.34 All lettered lots including parks, open space, areas to be landscaped in front of project boundary walls or fences, within traffic medians, along project street frontages and on major slopes annexed to the City's Landscape Maintenance District in accordance with City policy. The Homeowners Association will be responsible for maintenance of the areas within the tract.
- 3.35 Landscape Maintenance District annexation proceedings completed prior to final map approval.

- 3.36 Provide dedication of Right-of-way, including off-site to transition traffic and drainage flows from proposed to existing, to the City.
- 3.37 The applicant shall process a street vacation request for the slope area along Barton Road with the City of Loma Linda for the prior to final map recordation.

### **Hydrology/Drainage**

- 3.38 All lots shall drain to streets. All additional drainage due to development shall be mitigated on-site, no cross lot drainage will be allowed unless suitable easements are provided. A Water Quality Management Plan is required to address on-site drainage construction and operation.
- 3.39 Proposed development falls within those areas indicated as subject to flooding under the National Flood Insurance Program. This development will be subject to the provisions of that program, and the City's Flood Plain Ordinances.
- 3.40 Provide adequate City of Loma Linda Drainage Easements (minimum fifteen [15] feet wide) over the natural drainage courses and/or drainage facilities. Design easements to contain the 100-year frequency storm flow plus bulking and freeboard per approved City criteria.
- 3.41 Provide engineered plans for all drainage improvements, to the Public Works Department for approval prior to any construction activity.
- 3.42 A complete hydrology study and hydraulic calculations shall be submitted for review and approval by the Public Works Department.
- 3.43 All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters of blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.

- 3.44 Appropriate controls shall be installed to prevent all materials from being tracked off-site by vehicles or other means. These controls may include gravel exits or wash-down areas. Any materials tracked off-site must be removed as soon as possible, but no later than the end of the operation day. This material shall be disposed of at an appropriate disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.
- 3.45 Provide a non-potable water main to service Mission Road frontage and all public parks and open space in accordance to the Landscape Maintenance District requirements.
- 3.46 Proposed development falls within those areas indicated as subject to flooding under the National Flood Insurance Program. This development will be subject to the provisions of that program, and the City's Flood Plain Ordinances.

***Utilities***

- 3.47 Sewage connection to be to the City of Loma Linda system.
- 3.48 City of Loma Linda to be water purveyor.
- 3.49 Provide all utility services to each lot, including sanitary sewers, water, electric power, cable, gas, and telephone. All utilities are to be underground.
- 3.50 All fire hydrants and their distribution mains shall be made part of the Public System.
- 3.51 The developer/owner shall pay for the relocation of any power poles or other existing public utilities as necessary.
- 3.52 Water mains, fire hydrants, services and meters shall be sized and installed to City of Loma Linda standards and as shown on the approved utility plans for the development. These utilities shall be public and constructed within public right-of-way or public utility easements. Submit plans for review and approval.
- 3.53 Improvement plans are to include all connections and locations to the City mains for on-site irrigation, including all meter and backflow prevention devices.

***Construction***

- 3.54 Obtain a permit prior to any construction within the City's right-of-way.

- 3.55 Any abandoned wells on the property or similar structures shall be destroyed in a manner approved by the Public Works Department in accordance with the State of California Department of Health Services.
- 3.56 No commencement of public street work, except rough grading, until dedication for that street has been recorded.
- 3.57 All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.
- 3.58 Comply with the requirements of the National Pollution Discharge Elimination System (NPDES) permit program, prior to the issuance of grading permit. A notice of intent issued by the State is required.
- 3.59 During construction of the proposed improvements, equipment shall be properly maintained offsite, any leaks or spills shall be promptly contained and properly disposed.
- 3.60 Comply with the prevailing City standards and requirements at the time of construction.
- 3.61 Provide, to the maximum extent practicable, for the recycling and reuse of existing materials. Coordinate with the Public Works Department to obtain a list of recyclable/reusable materials and recycling vendors. Provide a report of materials recycled/reused; report to include type of materials and quantities of materials recycled/reused.
- 3.62 Prior to construction of the proposed improvements, the project proponent will provide a traffic control plan that will describe in detail safe detours around the project construction site and provide temporary traffic control (i.e. flag person) during demolition debris transport and other construction related truck hauling activities.
- 3.63 During construction of the proposed improvements, construction equipment will be properly maintained at an offsite location and includes proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction.
- 3.64 During construction of the proposed improvements, all contractors will be advised not to idle construction equipment on site for more than ten minutes.

- 3.65 During construction of the proposed improvements, only low volatility paints and coatings as defined in SCAQMD Rule 1113 shall be used. All paints shall be applied using either high-volume, low-pressure (HVLP) spray equipment or by hand application.
- 3.66 Site clearing and grading operations will be conducted over a 2-month period in order to reduce daily emissions.
- 3.67 During construction of the proposed improvements, the project applicant will provide onsite electrical hook ups for electric construction tools, such as saws, drills and compressors, to eliminate the need for diesel powered electric generators.
- 3.68 Application of paint and architectural coating will be staggered over a 6-month period during construction of the homes to reduce daily emissions.
- 3.69 During construction of the proposed improvements, the project applicant will provide onsite meals to construction workers by arranging a lunch wagon to visit the construction site during work breaks, including the lunch break.
- 3.70 The site shall be treated with water a minimum of twice per day, or other soil-stabilizing agent (approved by SCAQMD and RWQCB) daily to reduce PM<sub>10</sub> emissions, in accordance with SCAQMD Rule 403.
- 3.71 Mission Road and other proposed on-site streets shall be swept according to a schedule established by the City to reduce PM<sub>10</sub> emissions associated with vehicle tracking of soil off-site. The site access haul road will be watered a minimum of twice daily. Timing may vary depending upon time of year of construction.
- 3.72 Grading operations shall be suspended when wind speeds exceed 25 mph to minimize PM<sub>10</sub> emissions from the site during such episodes.
- 3.73 Chemical soil stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM<sub>10</sub> emissions.
- 3.74 Vehicle speeds shall be restricted to less than 15 miles per hour on unpaved portions of the site.
- 3.75 The construction contractor shall utilize electric or clean alternative fuel powered equipment where feasible.

- 3.76 During construction of the proposed improvements, onsite construction equipment will be fueled with aqueous diesel fuel. Alternatively, if aqueous diesel fuel is not available, diesel construction equipment usage will be reduced by at least 14 percent per day.

#### **4. FEES/PERMITS/BONDING**

- 4.1 Pay appropriate fees for plan check, inspection, GIS map plan update, and microfilming and storage of maps and plans, and other required fees.
- 4.2 Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of building permits.
- 4.3 A development agreement will be implemented that will provide for funding of landscape and recreational parks within the project area.
- 4.4 Fire Station and Fire Equipment Development Impact Fees shall be assessed to the project at the rates established for Single-Family Residential development in the City's Resolution "Establishing A Schedule Of Development Impact Fees To Finance Capital Facilities Necessitated By New Development" legally in effect at the time of issuance of building permit. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by City Manager's Executive Order.
- 4.5 Submit proof of payment from the City of San Bernardino for sewer capacity fees and Redlands Unified School District to the Community Development Department prior to the issuance of any building permits.
- 4.6 Bond all required road, drainage, grading, water, sewer, and landscaping improvements in accordance with City Development Code unless constructed and approved prior to recordation of Final Map. No commencement of public street work until the dedication for that street has been recorded. No releasing of a deposit posted for erosion control and monumentation prior to completion of all on-site construction.
- 4.7 All studies required within these conditions require a deposit to cover the cost of the review of the studies. Additional deposits may be required or a refund issued when the costs do not match the deposits.
- 4.8 All legal costs associated with providing the Development Agreement shall be provided by the applicant prior to issuance of any permits.



## 5. CC&RS

- 5.1 The applicant shall be required to set up a Homeowners' Association (HOA). The HOA shall maintain all common areas, which include all parks, landscape areas and open space identified on the final map as a lettered lot.
- 5.2 Prior to approval of the final map, all organizational documents for the project including any deed restrictions, covenants, conditions, and restrictions shall be submitted to and approved by the Community Development Department and City Attorney's office. Costs for such review shall be borne by the subdivider. A copy of the final documents shall be submitted to the Community Development Department after their recordation. CC&Rs shall include but not be limited to the following provisions:
- A. Since the City is interested in protecting the public health and safety and ensuring the quality and maintenance of common areas under control of a Homeowner's Association, the City shall be included as a party to the CC&Rs for enforcement purposes of those CC&R provisions in which the City has interest, as reflected by the following B through M. However, the City shall not be obligated to enforce the CC&Rs.
  - B. The requirement that Homeowner's Association bylaws be established.
  - C. Provisions for effective establishment, operation, management, use, repair and maintenance of all common areas and facilities including pool areas, recreational facilities, parks, landscaped areas and lots, trails, pathways, walls and fences and paseos.
  - D. Membership in any Homeowner's Association shall be inseparable from ownership in individual dwelling units.
  - E. Architectural controls shall be provided and may include but not be limited to provisions regulating exterior finishes, roof materials, fences and walls, accessory structures such as patios, sunshades, trellises, gazebos, awnings, room additions, exterior mechanical equipment, television and radio antenna.
  - F. Maintenance standards shall be provided for applicable items listed in Section C above in CC&Rs. Examples of maintenance standards are shown below:
    - (1) All common area landscaping and private lawn areas visible from any public way shall be properly maintained such that they are evenly cut, evenly edged, free of bare or brown spots, free of

debris and free of weeds above the level of the lawn. All planted areas other than lawns shall be free of weeds, dead vegetation and debris. All trees and shrubs shall be trimmed so they do not impede pedestrian traffic along the walkways. All trees shall also be root pruned to eliminate exposed surface roots and damage to sidewalks, driveways and structures.

- (2) Common areas shall be maintained in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance such as to be detrimental to public health, safety or general welfare, or that such a condition of deterioration or disrepair cause harm or is materially detrimental to property values or improvements within the boundaries of the subdivision and Homeowner's Association, to surrounding property, or to property or improvements within the project.
- G. Residents shall not store or park any non-motorized vehicles, trailers regardless of length, or motorized vehicles that exceed 7 feet high, 7 feet wide or 20 feet long in any parking or driveway area except for purpose of loading, unloading, making deliveries or emergency repairs except that the Homeowner's Association may adopt rules and regulations to authorize exceptions.
  - H. The Homeowner's Association is responsible for monitoring and enforcing any and all parking regulations as they apply to private property. Individual property owners shall park vehicles in garage spaces. Storage of personal items may occur in the garages only to the extent that vehicles may still be able to be parked within the required garage spaces.
  - I. All utility services serving the site shall be installed and maintained underground as depicted on the site plan.
  - J. The Homeowner's Association shall be required to file the names, addresses, and telephone numbers of at least one member of the Association Board and where applicable, a Manager of the project before January 1<sup>st</sup> of each year with the City of Loma Linda Community Development Department for the purpose of contacting the association in the case of emergency or in those cases where the City has an interest in CC&R violations.
  - K. Perimeter project block walls to be constructed on private property shall be maintained and replaced, if necessary by a Homeowner's Association. This shall not preclude a Homeowner's Association from assessing

charges to individual property owner for structural damage to the wall or fence.

- L. No amendment to alter, modify, terminate or change the Homeowner's Association's obligation to maintain the common areas and the project perimeter wall or other CC&R provisions in which the city has an interest, as noted above, or to alter, modify, terminate or change the City's right to enforce maintenance of the common areas and maintenance of the project perimeter wall, shall be effective without the prior written approval of the City of Loma Linda Community Development Department.
- M. Maintenance of all manufactured slopes on individual numbered lots shall be the responsibility of the individual property owners.

# **Attachment F**

**Planning Commission Staff Report and Draft Minutes of  
July 7, 2004 Meeting**

# Staff Report

# City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF JULY 7, 2004

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,  
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT (GP) NO. 04-01, ZONE CHANGE (ZC) NO. 04-01, TENTATIVE TRACT MAP 16730 (TT) NO. 04-01 & PRECISE PLAN OF DESIGN (PPD) NO. 04-03 – A REQUEST TO SUBDIVIDE 37.59 ACRES INTO 263 NEW SINGLE FAMILY LOTS WITH 8 LETTERED LOTS FOR PARKS AND OPEN SPACE. THE PROJECT IS LOCATED SOUTH OF MISSION ROAD, EAST OF THE PEPPER WAY AND THE EDISON EASEMENT AND WEST OF CALIFORNIA STREET.

### SUMMARY

This is a continued item from the meeting of June 9, 2004, which was cancelled due to the lack of a quorum. The information for this item was provided in the Planning Commission packet for the June 9, 2004 meeting. The applicant has provided additional information, which includes:

- Color renderings of project, and
- Updated Landscape Plans. Please replace the landscape plans from the information given to you for the June 9, 2004 meeting and replace them with the new set provided. The updated landscape plans illustrate a pedestrian bridge from the project site across the San Timoteo Channel, which will provide another connection to the regional trail system. Also there are modifications to the fence location. The applicant has also provided typical landscape layouts for the side, rear and front yards. These are examples of how the private yards can be used.

All other information provided to you in the June 9, 2004 packet for this item is up to date and no other information, besides the landscape plans and color renderings have been submitted.

### ATTACHMENT

1. June 9, 2004 Planning Commission Staff Report – GPA 04-01, ZC 04-01, TTM 16730, & PPD 04-03

# **Attachment 1**

**June 9, 2004 Planning Commission Staff Report –  
GPA 04-01, ZC 04-01, TTM 16730, and PPD 04-03**

# Staff Report

# City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF JUNE 9, 2004

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,  
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN AMENDMENT (GP) NO. 04-01, ZONE CHANGE (ZC) NO. 04-01, TENTATIVE TRACT MAP 16730 (TT) NO. 04-01 & PRECISE PLAN OF DESIGN (PPD) NO. 04-03 – A REQUEST TO SUBDIVIDE 37.59 ACRES INTO 263 NEW SINGLE FAMILY LOTS WITH 8 LETTERED LOTS FOR PARKS AND OPEN SPACE. THE PROJECT IS LOCATED SOUTH OF MISSION ROAD, EAST OF THE PEPPER WAY AND THE EDISON EASEMENT AND WEST OF CALIFORNIA STREET.

### **SUMMARY**

The project is a request to subdivide a 37.59 - acre property for the purpose of developing 263 single-family detached residences, three parks, and open space, which includes a trail system. The project requires a General Plan Amendment to change the General Plan designation from Mobile Home Subdivision to Mixed Use. The project area currently is not zoned, therefore the project includes a zone change to zone the project area Planned Community (PC). The project includes a Planned Community Document for the small lot subdivision proposal. The project includes the Precise Plan of Design for the product and site design of the single-family residences and the related amenities of the project site. A development agreement between the City and the applicant is included as part of the project to assist in the production of future affordable housing throughout the City.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend the following actions to the City Council:

1. Adopt the Mitigated Negative Declaration (Attachment A);
2. Approve and adopt General Plan Amendment No. 04-01 (Attachment B) and Zone Change No. 04-01, based on the Findings;
3. Approve the Development Agreement (Attachment C); and,
4. Approve Tentative Tract Map No. 16730 (Attachment D) and Precise Plan of Design No. 04-03 based on the Findings, and subject to the attached Conditions of Approval (Attachment E).

## **PERTINENT DATA**

Applicant:	American Pacific Homes
General Plan:	Mobile Home Subdivision
Zoning:	No Zoning
Site:	The 37.59 – acre subject property is located on the south side of Mission Road between California Street to the east and the Edison Easement and Pepper Way to the west. The project site includes existing and abandoned agricultural land.
Topography:	Relatively flat
Vegetation:	Patchy scrub and native grasses on the vacant portions of the site and crops of melons on the agricultural portions of the site.

## **BACKGROUND AND EXISTING SETTING**

### **Background**

The project is located within the Mission Historic District Overlay Zone. The City has adopted an ordinance requires that any development within the District conform to a strict set of city-adopted development/design standards, which are intended to preserve and enhance the historic character of the area. Historically, the project area has been used for agricultural purposes consisting mostly of citrus groves. The entire citrus orchard has been removed. However, a portion of the site is used to grow melons as a temporary use.

The project area is adjacent to two homes on along the south side of Mission Road. The residences will remain under private ownership and are not part of the development. The proposed design of the tract and the residences has been designed according to the "Livable Community" concepts and the objectives of the Mission Historic District Overlay Ordinance. The proposed site plan is designed to integrate the existing homes into the layout of the lots by providing wider lots along Mission Road. This is consistent with the Mission Historic District Overlay Ordinance.

The project was submitted to the Historical Commission for their review and approval of a Certificate of Appropriateness due to the project being located in the Mission Historic Overlay District. The Historical Commission approved the Certificate of Appropriateness on May 3, 2004.



## **Existing Setting**

A detailed discussion of the existing setting for the project is contained in Section 1.1 of the Initial Study (Attachment A)

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS**

On May 21, 2004, a Notice of Intent (NOI) to Adopt a Negative Declaration and Initial Study (Attachment A) were prepared and issued for public review. The mandatory CEQA 20-day public review began on May 21, 2004 and ends on June 9, 2004. The Initial Study evaluates potential impact categories and appropriate mitigation measures. Any potential impacts can be mitigated to a level of insignificance and mitigation measures have been included as conditions of approval (Attachment E). Therefore, the project can be approved with a Mitigated Negative Declaration in accordance with the requirements of CEQA.

## **ANALYSIS**

### **Project Description and Site Design**

The applicant has incorporated "Neo-Traditional" and "Livable Communities" concepts into the project design that include smaller residential lots and narrow interior streets. The proposed subdivision, which creates 263 new single-family lots, has a gross density of 6.7 dwelling units per acre. This proposed density is within Medium Density designation of the Draft General Plan for this area, which is 5.1 to 9 dwelling units per acre. The average lot size is approximately 3,675 square feet. The lot sizes along Mission Road range from approximately 9,000 to 13,493 square feet. The lot width of the Mission Road lots range from 90 to 104 feet. The interior lot sizes range from approximately 2,800 to 4,789 square feet.

The layout of the project is similar to the Mission Trails, the development to the west (Tract No. 16341). There are both alley loaded and front-loading lots. The development has three access points from Mission Road and connects to the Mission Trails development to the west through Paxton Place. The street widths are similar to Mission Trails, however, the alley width has been increased an additional two feet. The concept of this development was to integrate with the development to the west by providing similar layout and connectivity of streets and trails.

Three public parks are proposed which are located on each side of the development and one in the center. The one acre central park provides a focal point at the main entrance to the tract, which is accessed from Mission Road. The main entryway will have a center median for two block lengths. The design of the central park and median includes a water feature, that is intended to simulate a water canal similar to the historic Zanja canal within the Mission Road Historic Overlay District. In addition to the water feature a gazebo, picnic areas, tot lot and seating areas are proposed amongst the many proposed trees.

The two additional parks provide active park uses with a variety of amenities. The one-acre westerly park includes a tennis court, two half-court basketball courts, a tot lot, and seating and picnic areas. The 1½-acre easterly park provides a putting green, sand volleyball court, a tot lot, and picnic and seating areas. Page LC-7 (Attachment G), includes optional design includes guest parking adjacent to the parks, which could reduce the amount of on-street parking for individuals who drive to the parks. In addition to the three proposed parks, the project includes additional open space which totals approximately 1½-acres. Approximately a half-acre of this open space is divided into six lettered lots, scattered throughout the development, typically on corners, which provides landscaped passive park/open space. The parks, open space, and trails will be maintained by the Homeowner's Association. The total amount of proposed park and open space complies with the General Plan policy of 5-acres per 1,000 residents.

In addition to the parks and open space, a trail system has been incorporated into the site, which connects the parks, and open space and also connects the tract to existing trail systems beyond the tract boundaries. The proposal includes important linkages for pedestrians and vehicles, alike.

The narrower streets, medians, and street layout should provide some traffic calming for the development. The proposed street widths are indicative of the "Livable Communities" concepts, which have been endorsed by the Planning Commission. The PC Zoning allows for the creation of unique and creative design standards, which provides flexibility to include attributes common in "Livable Communities." Narrower streets are common in "Livable Communities" and the flexibility of the PC zone is exhibited in the proposed street design.

### **Loma Linda Connected Communities Program**

A Condition of Approval includes the requirement that the proposed community be pre-wired to host coaxial, cable, and fiber optic installation for each unit as per the Loma Linda Connected Communities (LLCC) policy. This is a new City requirement that will ensure new residences are equipped with links to meet the latest communications/technological advances. Homes that are pre-wired in this manner are commonly referred to as "smart homes". The added technology has many advantages including increased marketability of the units.

### **Homeowner's Association**

The proposed tract and future residential community will require the establishment of a Homeowners Association (HOA) as well as the development and recordation of appropriate Covenants, Conditions and Restrictions (CC & R's).

### **Precise Plan Of Design (PPD)**

In reviewing the proposed Precise Plan of Design (PPD), the following issues important to the Planning Commission in the review of past projects, should be considered. The Planning Commission has encouraged the development of residential projects that include the following neighborhood characteristics:

- A variety of architectural styles so that the tract would blend in with the existing housing. Housing styles and sizes should be varied to provide for the needs of future residents.
- Tree lined streets should be designed to make them more conducive to walking, fitness, and quality of life.
- Walkways should be designed to encourage neighbors to get to know each other.
- Place trees and landscaping in areas where they would have the most impact on energy conservation.

In addition to the neighborhood characteristics mentioned above, the Planning Commission has also encouraged development to incorporate design criteria which includes the following:

- All corner lots should be side loaded lots, where the front door is not facing the same frontage as the driveway;
- Incorporate energy conservation and heat reduction measures such as color and material of the roofs, house orientation and landscaping;
- Provide a housing product that would include quality design of four-sided architectural style. This would mean continuing the proposed styles to all four sides of the structure which is typical for custom homes;
- Using the traditional materials for these different types of architecture is important in simulating the overall variety of true traditional styles proposed;
- Garages placed behind the living areas of the house or the porch/courtyard;
- Garage locations should conform to the placement of garages from the time period associated with the historic architectural styles of Mission Road when garages were relegated to the rear of the yard and did not usually face the street;
- Design the homes with garages located toward the back of the residence;
- Porches on the front elevation are encouraged;
- Provide front loaded porches, large setbacks, alley loaded plans for projects fronting Mission Road;
- Provide a variety of massing of the homes;
- Providing a pedestrian walkway out to the sidewalk from the entry;
- Provide Mature Trees within the tract; and,
- Provide a pedestrian walkway to the side yard where the receptacle containers are stored.

### House Design

There are three housing products, which include the front loaded product, alley loaded product and the homes fronting Mission Road. There are three plans within each of the front and alley loaded products and two plans within the Mission Road product.

All eight plans include unique architectural styles, which are modern adaptations of amenities found in traditional styles of architecture historic to the area. Each plan has an "American Farmhouse" style, and a "Craftsman/Bungalow" style. The third style has Spanish influences and range from "Early Californian", "Spanish Colonial", "Monterey", and "Santa Barbara." The proposed designs have similar elements of each style, but are not intended to be exact replicas of the traditional style. They are intended to be contemporary homes with a traditional character.

Each plan offers several options, which can increase the number of rooms and/or bedrooms. The plans offer a variety of home sizes that include three and four bedrooms. The houses range from 1,800 to 3,060 square feet. All the residences are two story, except for one of the plans on Mission Road. There are 18 Mission Road residences, 117 front-loaded plans, and 128 alley loaded plans.

Each of the three styles has five color and material schemes. Wood, stone, brick and stucco proposed to be applied to the exterior walls. The Spanish style homes also have decorative tiles that will enhance the elevations. The roof materials are composition shingle, clay tile, and concrete tile. The color palette of the roof materials vary from dark grey, light and dark browns, and shades of terracotta which are appropriate for all the proposed styles.

### Landscape Design

The proposed landscape plans illustrates small trees, shrubs and ground cover adjacent to the alleys; street trees and parkway landscaping, and planting and amenities within common areas including the parks. In addition to the proposed plantings, fence, wall, arbor, entry monuments and mailbox kiosk designs are proposed which are consistent with the design of the tract and the Mission Road Historic character. The proposal includes vinyl fencing which simulates wood fencing, but is much more durable and will maintain a quality appearance over time.

The developer will be required to landscape the front yard, parkway, exterior side yard and rear yard area in front of the fence adjacent to an alley. All lettered lots, which includes, common areas, parks, trails, and Landscape Maintenance District (LMD) areas shall also be landscaped by the developer and maintained by the Homeowner's Association (HOA).

Each house will have a street tree in the front yard and/or parkway. A landscape plan that identifies the landscape details for the front yards, exterior side yards, and areas outside the enclosed fences adjacent to the alley will be provided to the Community Development Department for review and approval prior to issuance of building permits.

## **Evaluation**

A variety of architectural styles are proposed which enhances the overall character of the neighborhood by creating variety and visual interest of each house. The proposed styles are similar to the types of homes historically built in the area and compatible with the Mission Historic District Overlay Zone. The styles of the homes are carried out on all four sides of each residence. The proposal includes tree-lined streets, parks and trails which provide connectivity throughout the project.

The proposed architectural styles, varieties of eight different plans, and the sensitivity to the style and design of the homes on Mission Road provide a quality development that provides character and interest to the area. Placing the larger size homes that have unique designs with traditional styles helps maintain the rural character of Mission Road by providing an estate like appearance. A wider house plan with the proposed styles, make these homes more visually appealing and closer to the quality of custom homes.

The plans include a wrap around porch for one of the alley-loaded plans and a side entrances for one of the front entry plans. If these lots are plotted on corner lots the issue of side loaded lots should be addressed. All the homes have garages set back from the house or porch and some of these are alley-loaded garages. This allows the porch to become the dominant feature of the house rather than the garage. The four-sided architecture has been addressed by providing window surrounds and enhancements, including some of the accent materials, on the sides and rear elevations of the residences.

## Recommended Modifications

Although staff is pleased with overall design of the proposed map and plans, the following items are areas that staff also would like to see modified. Through conditions of approval, these modification can be accomplished by staff review and approval.

- Color Palette:  
The proposed color schemes, specifically the wall base color, should be modified to create more of a contrasting difference between the base colors for the following schemes:
  1. Schemes #5 and #15;
  2. Schemes #13, #14, and #4;
  3. Schemes #3 and #8;
  4. Schemes #7 and #12; and,
  5. Schemes #1, #2, and #11

The proposed trim and stucco colors are very close in hue and should be more contrasting. Condition No. 1.18 requires that the colors and materials be approved by the Community Development Department. Staff will work with the applicant to ensure more contrast between the two selected replacement colors.

- Site Plan:

1. The placement of residences on Mission Road should be modified to ensure that the same residence is not beside on another. Therefore, the following changes should be made to the Site Plan:

Lot 10 – Plan 1  
Lot 11 – Plan 2  
Lot 12 – Plan 1  
Lot 13 – Plan 2  
Lot 14 – Plan 1  
Lot 15 – Plan 2  
Lot 16 – Plan 1

2. The placement of residences on corner lots should be modified to ensure that the wrap around porch and the side entry plans are plotted for the corner lots.

Lots plotted with Plan 1700: 26, 27, 35, 36, 48, 57, 67, 68, 84, 85, 113, 232, 233, 234, and 255.

Lots plotted with Plan 2700: 83, 124, 125, 160, 170, 171, and 203.

### **General Plan Text And Map And Official Zoning Map Amendments**

The project includes a request to amend the General Plan Text and Map from Mobil Home Subdivision to Mixed Use, and the official Zoning Map from no zoning to Planned Community (PC).

The proposed land use designation and zoning is not anticipated to result in any land use impacts to the surrounding area. The Mixed Use General Plan designation is included in the Draft Preferred Alternative Land Use Map for the current General Plan Update. The area south of Redlands Boulevard, west of California Street, east of the Southern California Edison utility easement and north of Barton Road and the San Timoteo Creek has been preliminarily designated as Mixed Use by the Planning Commission and City Council for the purpose of identifying a preferred alternative land use plan for the General Plan update process. The intent of the Mixed Use designation is to allow for a variety of uses such as residential, commercial, institutional and light

industrial and require a Planned Community or Specific Plan Zoning regulation to specify the approved uses and development standards for each planning area. The proposed Planned Community zoning designation would limit this area to residential use and ancillary amenities that would support a residential tract, such as recreational facilities, parks, and trails.

### **Development Agreement**

The proposed project is located in the Redevelopment Project Area. As a result, affordable housing is required of the builder. The option is to provide fifteen percent of the units as affordable or to pay an in-lieu fee to assist in the production of future, affordable housing units throughout the City. The applicant has chosen the option to pay the in-lieu fee (see Attachment C).

### **COMMENTS**

The Public Safety Department has reviewed the proposed map and provided additional conditions of approval to compensate for the narrower streets and alleys. The conditions include additional fire sprinkler requirements for the residences. The proposed width is adequate to allow for emergency vehicles and apparatus. No parking will be permitted in the alleys and on the main entry street "J".

Public Works Department has reviewed the Traffic Impact Analysis prepared by Meyer, Mohaddes Associates, Inc. and concurs with the recommended mitigation measures, which includes contributing to the fair share costs associated with the installation of a traffic signal at the intersection of Mountain View Avenue and Mission Road to improve the traffic congestion under peak hours. This intersection was identified in the Traffic Impact Analysis as having a cumulative impact during peak hours due to the existing traffic and the addition of the project traffic and future traffic from development proposed in the general vicinity. This would improve the intersection traffic from a level of service D and F to a level of service B and C during peak hours.

After approving the Certificate of Appropriateness for the project, the Historical Commission recommended to the Planning Commission and City Council that the density of the project and density of future projects in the area be reduced. This would mean a change in the draft General Plan land use designation since this project complies with the range of density in the draft General Plan.

In response to the routing for this project, the City received the following comment from outside agency:

- City of Redlands - The letter stated that they were concerned about traffic impacts particularly to California Avenue and the interchange of the I-10 freeway. The City's Public Works Department evaluated the trips generated by the project and the capacity of the adjacent street system and determined that the traffic impact analysis did not warrant further review for the area of concern identified

by the City of Redlands. (A discussion of the traffic impacts is included in the Initial Study).

Copies of all public comments are maintained in the file for Tentative Tract Map No. 16730.

## **FINDINGS**

### **General Plan Text and Map Amendment Findings**

An amendment to the General Plan may be adopted only if all of the following findings are made:

1. *The proposed amendment is internally consistent with the General Plan;*

Changing the land use designation from "Mobile Home Subdivision" to "Mixed Use" would allow for a variety of residential types of development. The Mixed Use General Plan designation is consistent with the new draft General Plan, Preferred Alternative Land Use Map. The Preferred Land Use Alternative Map is the culmination of several community workshops, including two joint workshops of the City Council and Planning Commission. The intent of the Mixed Use designation is to allow for a variety of uses such as residential, commercial, institutional and light industrial and require a Planned Community or Specific Plan Zoning regulation to specify the approved uses and development standards for each planning area. The proposed Planned Community zoning designation would limit this area to residential use and ancillary amenities that would support a residential tract, such as a community center, community pool and recreational facilities, parks and trails.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;*

The proposed amendment and associated development project would not be detrimental to the public in that the proposed residential community would be compatible with the existing residential community to the west. The General Plan amendment and the residential subdivision would be providing a unique residential development to the community and improving the existing condition of the site and would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

3. *The proposed amendment would maintain the appropriate balance of land uses within the City; and,*

The balance of land uses in the City will not be adversely affected by the proposed amendment. As previously stated, the Preferred Land Use Alternative Map shows the area south of Redlands Boulevard, east of the Southern California Edison utility easement, north of San Timoteo Channel and west of California Street as being



redesignated as "Mixed Use". The intent of the Mixed Use designation is to allow for a variety of uses such as residential, commercial, institutional and light industrial and require a Planned Community or Specific Plan Zoning regulation to specify the approved uses and development standards for each planning area. The intent of the proposed amendment is to only provide residential development south of Mission Road. The change of the land use designation of the site is the first step in the process of providing a variety of land use opportunities to the area.

4. *In the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.*

The amendment site has frontage on Mission Road and the surrounding area is largely undeveloped with a few residential structures, an abandoned dairy and acres of citrus groves. All public utilities are available to the site and can be provided for future site occupants. The residential use is compatible with the residential neighborhood to the west and will be suitable for the area.

### **Zone Change Findings**

Changes to the zoning ordinance and map are considered legislative acts and do not require findings. State law does require that the zoning be consistent with the General Plan. The proposed "Planned Community" (PC) zoning district for residential development is consistent with existing General Plan Land Use designation of "Medium Density-Residential" and proposed designations of the Draft General Plan. As stated above the site is suitable for residential development under the "Planned Community" (PC) zone and would not cause substantial environmental damage or be detrimental to the public welfare.

### **Tentative Tract Map Findings**

1. *That the proposed map is consistent with the applicable general plan and zoning designations.*

The project includes a General Plan Amendment and Zone Change to "Mixed-Use" and "Planned Community" respectively. The text created for the General Plan Land Use designation of "Mixed Use" is consistent with the proposed project and would also be consistent with the "Planned Community" zoning district.

2. *The design or improvement of the proposed subdivision is consistent with the applicable general plan and zoning designations.*

The project complies with the proposed "Mixed Use" General Plan Land Use designation and was designed in accordance with the Municipal Code, Chapter 17.70 Planned Community District zone. Portions of the site have an abandoned dairy and citrus groves and the majority of the site is vacant. The development of

this site with the appropriate residential uses shall enhance the quality of the surrounding neighborhood and the City.

3. *The site is physically suitable for the type of development proposed.*

The project shall not disrupt or divide the physical arrangement in the immediate vicinity. The project includes the removal of temporary agricultural crops. The use of agricultural land is not economically viable and development of single-family residences will be compatible with the existing residential area to the west and enhance the area. The project shall not result in impacts to the established community.

4. *The site is physically suitable for the proposed density of development.*

The project is compatible with the surrounding residential uses to the west. The project density of 6.7 dwelling units per acre is less than the potential density of the existing General Plan Land Use designation of "Mobile Home Subdivision."

5. *The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.*

There is no natural vegetation other than the temporary melon crops and no wildlife present on site. There is virtually no undisturbed area remaining on the site. Therefore, development of the site shall not cause any substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat. There is no riparian or wetland habitat on site. The San Timoteo Creek Channel is located south of the project area. This area south of the project site will not be disturbed.

6. *The design of the subdivision is not likely to cause serious public health problems.*

The design of the subdivision and the end use of the residential tract shall not cause any serious public health problems. The design is sensitive to the historical and cultural significance of the area and implements "Livable Community" concepts into the design. The Mitigated Negative Declaration does not identify any impacts that could cause serious public health problems.

7. *The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

Access to the site is provided from Mission Road and an extension of Paxton Place. The three entrances into the site from Mission Road and one from Paxton Place allow full access without impeding the through traffic. Access for an emergency vehicle is an adequate with a minimum 28-foot wide streets and 22-

foot wide alleys. The design of the proposed subdivision does not conflict with any easements.

### **Precise Plan Of Design Findings**

1. *That the proposed project is consistent with the General Plan and Zoning designations.*

The development is consistent with Goal No. 6 in the General Plan that states that housing opportunities in diverse styles and types in a variety of locations for all economic segments of the community and for all persons are necessary. It is also consistent with Policy No. 5 in the General Plan indicates that conventional housing tracts consisting of single-family residential detached structures, situated on individual lots will be provided in different locations throughout the community. The proposed project is designed in accordance with the Loma Linda Municipal Code, Chapter 17.70 and is consistent with all provisions contained in the General Plan.

2. *The design of the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.*

No natural vegetation or wildlife is present on the site of the proposed 263-unit subdivision. The environmental survey by Michael Brandman and Associates prepared in 2003, lists no Federal or State listed endangered species as occurring on the subject site. As a result, development of the subject property is not anticipated to result in any substantial environmental damage or injure fish and wildlife or their habitat. The Initial Study for the tract anticipated that single-family residences and related uses will be established on the lots and it was found there would not be any significant impacts to the natural or manmade environment.

3. *The design of the proposed improvements is not likely to cause serious public health problems.*

The proposed 263-unit subdivision is a permitted use for the Planned Community (PC) district. The design of the subdivision is compatible with other single-family residences in the surrounding neighborhood to the north, west and east. There are no impacts identified that could cause serious public health problems due to the proposed project. Likewise, approval of the housing styles and other on-site amenities will not result in any serious public health problem on the site or in the area.

## **CONCLUSION**

The proposed Tentative Tract Map 16730 conforms to the City's Subdivision regulations and the "Planned Community" (PC) zoning standards. The General Plan Text and Map amendment from "Mobile Home Subdivision" to "Mixed Use" and the zone change to "Planned Community" (PC) allows the flexibility to develop a variety of single-family residential communities that can be master planned for the proposed project site. The proposed subdivision is sensitive to the historical significance of the area and compatible with the residential neighborhoods to the west. The granting of this General Plan Amendment, Zone Change and Tentative Tract Map and Precise Plan of Design would not be detrimental to the public welfare or injurious to the properties in the vicinity.

All elements of project are consistent with the existing General Plan and appear to be consistent with the Draft Preferred Land Use Alternative prepared for the City's Comprehensive General Plan Update Project. The proposed house designs for the eight design types are tailored to the site and environment and will be compatible with the surrounding neighborhood.

The two styles of homes fronting Mission Road provide a custom estate home appearance and maintains the rural character of Mission Road. The lot width dimensions are consistent with the policies suggested in the Mission Road Historic District Report. The lots along Mission Road are accessed by a rear alley and will not have vehicular access from Mission Road. The length of the lots allow for large front yard setbacks which will create a buffer along Mission Road and adhere to maintaining a rural character.

The Mitigation Measures listed in the Initial Study (Attachment A) will minimize the potential environmental impacts and are the responsibility of the subdivider. They have been made part of the Conditions of Approval (Attachment E).

Respectfully Submitted,

Lori Lamson  
Senior Planner

## **ATTACHMENTS**

- A. Negative Declaration (NOI/Initial Study)
- B. General Plan Amendment
- C. Development Agreement
- D. Tentative Tract Map
- E. Conditions of Approval
- F. Planned Community Document
- G. Proposed Plans

# Minutes

# City of Loma Linda

*Department of Community Development*

## Planning Commission

Chair Neff called a regular meeting of the Planning Commission to order at 7:05 p.m., **Wednesday, July 7, 2004**, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

**Commissioners Present:** Randy Neff, Chair  
Mary Lee Rosenbaum, Vice Chair  
Michael Christianson  
Charles Umeda

**Staff Present:** Deborah Woldruff, Director, Community Development  
Richard Holdaway, City Attorney  
Rolland Crawford, Director/Fire Chief, Public Safety  
Lori Lamson, Senior Planner  
Raul Colunga, Assistant Planner  
Allan Peñaflorida, Planning Technician  
Jeff Peterson, Associate Engineer, Public Works Department  
Jocelyne Larabie, Administrative Secretary

**PC-04-34 - GENERAL PLAN AMENDMENT (GP) NO. 04-01, ZONE CHANGE (ZC) NO. 04-01, TENTATIVE TRACT MAP 16730 (TT) NO. 04-01 & PRECISE PLAN OF DESIGN (PPD) NO. 04-03 - A request to subdivide 37.59 acres into 263 single-family small lots with 8 lettered lots for parks and open space. The project requires a General Plan Amendment to change the General Plan designation from Mobile Home Subdivision to Mixed Use. The project area currently is not zoned, therefore the project includes a zone change to zone the project area Planned Community (PC). The project will include a Planned Community Document for the small lot subdivision proposal. The project includes the Precise Plan of Design for the product and site design of the single-family residences and the related amenities of the project site. A development agreement will be required for the affordable housing requirement. The project is located south of Mission Road, east of the Pepper Way and the Edison Easement and west of California Street in the City of Loma Linda and County of San Bernardino.**

Senior Planner Lamson gave the staff report. She stated that the proposal was a small lot subdivision implementing concepts of the livable walkable community model and neo-traditional neighborhoods supported by the Planning Commission. She added that the project was a request to subdivide approximately 38 acres for the purpose of developing 263 single-family detached residences, three parks, and open space, which includes a trail system. Ms. Lamson stated that the lot sizes along Mission Road would range from approximately 9,000 to 13,500 square feet with the interior lot sizes from approximately 2,800 to 4,789 square feet.

Ms. Lamson continued to say that the proposed medium density complied with the draft General Plan designation for the south side of Mission Road of 5.1 to 9 dwelling units per acre. She added that a General Plan Amendment was being requested to change the existing Mobile

Home Subdivision designation to Mixed Use along with a zone change to Planned Community, which is consistent with the draft General Plan. Ms. Lamson commented that this was another example of the need for the completion of the General Plan update, which would make the zoning consistent with the general plan. She added that a Planned Community document was part of the zone change request and would provide the development standards for the project. She stated that a Development Agreement to provide in lieu fees to the City for future affordable housing needs in the City was included in the project was also being proposed.

Senior Planner Lamson explained that there would be three access points off of Mission Road, with the middle access serving as the main entrance, with a center median enhanced by a water feature to simulate an irrigation canal as a focal point. She added that it was the intention of the developer to highlight the history of the area by creating a modern adaptation of an irrigation canal similar to the Zanja.

Senior Planner Lamson continued to say that a Planned Community Zone was also requested that would provide the ability to create streets that are not of standard width as part of the concepts of the livable walkable community model and neo-traditional neighborhoods supported by the Planning Commission in the past. She added that Public Safety had indicated that they could provide access through the proposed development with the narrower streets and that Public Works supported the street width concept.

Ms. Lamson explained that as previously mentioned, the project was proposing to create three parks in the tract, which complied with the General Plan requirement of five acres per 1000 residents. She explained that the central park created a focal point when entering the tract. She continued to say that the proposed water feature at the entrance was continued into the central park and that a tot lot, gazebo, picnic tables, BBQ's, and benches were planned within the shade trees. Ms. Lamson commented that the park on the east side of the tract would include a sand volleyball court, a putting green, a tot lot, picnic tables, BBQ's, and benches and the park on the west side included two half-court basketball courts, a tennis court, tot lot, picnic benches, BBQ's, and benches.

Ms. Lamson continued to say that the three parks were interconnected through a trail system through the tract. She added that it also connected to the other development on the south side of Mission Road and to the regional trail system using a pedestrian bridge leading to the trail along the San Timoteo Channel, in addition to the bridge proposed on the Edison Easement corridor across the channel.

Senior Planner Lamson stated that there were three types of housing products proposed. She described the homes fronting on Mission Road as alley loaded houses with lots ranging between 90' and 104' and designed to have an estate appearance. She added that there were two plans for the Mission Road lots with one being a one-story model.

She explained that all the homes on the interior of the tract were two-story houses with both alley-loaded and front-loaded models having three plan types and each house type having three design concepts ranging from American Farmhouse, Craftsman type to a Spanish type design.

Senior Planner Lamson continued her report stating that the project had been submitted to the Historical Commission on May 3, 2004 for their review and the approval of a Certificate of Appropriateness because of the project's location in the Mission Historic Overlay District. She added that although the Historical Commission had approved the Certificate of Appropriateness, they requested that their concerns regarding interior lot sizes, density and the developer's failure

to contribute to the character and heritage of Loma Linda be forwarded to the Planning Commission and the City Council.

Ms Lamson commented that staff had received a letter from the Lawrence's at 26430 Margarita Lane in opposition to the development as it pertains to the proposed density. She commented that accommodating the request for reduction in the density would mean a change in the draft General Plan Land Use Designation since this project complies with the land use alternative range of density. She explained that the project had been designed with the livable walkable communities concepts as directed by the Planning Commission and that the density of the area south of Mission Road was discussed through many General Plan workshops and identified as medium density of 5.1-9 d.u. per acre by the City Council and the Planning Commission on the Draft General Plan preferred alternative Land Use Plan. She commented that the project complied with this density and provided a cohesive continuation of development of the south side of Mission Road.

Senior Planner Lamson reported that, although staff recommended the project, there were some issues that staff would like to see modified through the Conditions of Approval.

Color Palette:

The proposed trim and stucco colors should be more contrasting. Condition No. 1.17 addresses this issue, and Condition No. 1.18 requires that the colors and materials be approved by the Community Development Department who would work with the applicant to ensure more contrast between the two selected replacement colors.

Site Plan:

The placement of residences on corner lots should be modified to ensure that the wrap around porch and the side entry plans are plotted for the corner lots. Condition 1.21 addresses that item, and the placement of the residences on Mission Road should be modified to ensure that the same residence were not next to each other and addressed in Condition 1.22.

Ms. Lamson explained that the applicant had provided some alternatives to address parking within the tract by adding more spaces within the proposed open space and park areas. She added that the Planning Commission might want to consider implementing some or all of the additional parking spaces within the parks and open space areas. She stated that a copy of typical parking standards used by the developer had been distributed to the Commissioners to help them see how parking issues had been handled through the CC&R's enforced by the Home Owners Association (HOA) in other projects.

Ms. Lamson concluded her report stating that after additional review, Public Safety had permitted the drives to have two-way traffic with no parking restrictions, which resulted in a modification to Condition No. 2.5 and a modification to the proposed tract map that identified these drives as one way. She added that the Planning Commission might wish to consider these changes when reviewing the map.

Commissioner Rosenbaum had a question regarding the Analysis section of the Staff Report, on page 4. She wanted to know if the additional open space referred to in the first paragraph would be a developed park. Ms. Lamson replied that it would be a landscaped open space area.

Commissioner Christianson requested clarification regarding the letter received from the Lawrence family requesting downsize of the density from 5.1 du per acre to 5 du per acre. Ms. Lamson replied that such a change would require a change in the Preferred Alternative of the General Plan Land Use map.

Chair Neff opened the public comment period at 7:35 pm and invited the applicant to make his presentation.

Mr. John Snell, with American Pacific Homes, 4959 Palo Verde, Ste B110, Montclair, CA. Mr. Snell thanked staff for working with them and added that he agreed with staff on their interpretation of the General Plan, the Historic District guidelines and our compliance with the livable walkable communities. He commented that this project was the first in the City of Loma Linda but had vast experience with other municipalities and had produced a variety of housing products and worked diligently with all guidelines in these different areas.

Mr. Snell continued to say that the project had gone through several changes to conform to the requirements of the different departments at the City. He added that they had tried to be compatible with existing projects while providing a good quality and variety of architectural styles and details, amenities and parks. He continued to say that Mr. Dan Burden, renowned expert in the livable walkable communities concept, was involved with the design of the project and was very impressed with the project and uses it as a demonstration project as he travels throughout the country. Mr. Snell explained that Staff had provided to them all the input that the Planning Commission gave on guidelines and designs at the very beginning of their project and used the information to create the project being presented.

Mr. Snell stated that it was his understanding that there were no open issues with staff and agreed with the proposed conditions of approval in regards to the additional parking issue. He added that they were prepared to follow the direction that the Commission wished to take.

Mr. Snell stated that he would like to propose a commercial use in the project, not presented at this meeting, which idea was based on input from community members and the effects of the State budget. He indicated that the lot at the west side of their project fronting Mission Road could be considered for an old style country general store, which would provide a convenient place for residents in the project. Because of possible future realignment of Mission Road, the possible commercial could be considered for other areas in the project. Mr. Snell stated that if the Planning Commission wished to go ahead with the commercial project, the commercial property could be built in the craftsman style with wood and with a rural look.

Mr. Snell introduced Mr. Matt Kohlenberger landscape architect from CDPC who played a huge role in providing the park designs. Landscape architect Matt Kohlenberger, addressed the Commission to explain that to create their design they had taken into consideration the design guidelines for the Mission Trails project currently under construction, the City's design guidelines and with the Mission Historic Overlay District, Ordinance #623. He explained that they had identified elements common to this type of development: Great Boulevard, great entries, open space within 800 feet of all the homes, ways to associate with neighbors, green streets, low speed streets, pedestrian friendly, many connections, walkways and trails with many of these elements overlapping. He continued to talk about the trees, palm trees for accent, pepper trees, a bridge element at the entry over the canal representing the Zanja and materials, stone pilasters and decomposed granite, monument signage. He continued to describe parks and amenities, such as trails and tree lined streets and walkways, playground equipment, picnic tables, benches and gazebos. He spoke of the rear garage units that spill out into green space.

Mr. Snell stated that, in consideration of the time element and the large number of agenda items, their presentation was complete and that he would be present to answer any questions that the Planning Commission would have.

Chair Neff asked Mr. Snell if the color samples that had been circulated was appropriate for all of the houses. Mr. Snell replied that colors were selected that complemented the architecture of the house.

Commissioner Christianson asked about the treatment for the slope along Barton Road. Matt explained that the slope would be landscaped with no wall. Mr. Snell added that the Public



Works Director, Jarb Thaipejr had ask them to take over the maintenance of the slope with suitable ground cover and other plant material along with irrigation outside the area that the Department needed to operate the road. He added that the City would retain an easement to maintain the integrity of the road. Mr. Snell added that the Homeowners' Association would do the maintenance of the slope. He mentioned that all parks would be opened to the public and the HOA would maintain them.

Mr. Richard Wiley, 10848 Pepper Way, Loma Linda, addressed the Commission to express his concerns with the project. Mr. Wiley's concerns were about making the rooftops less visible from Barton Road, making sure that the proposed orange trees don't conceal the water features, the impact of over watering orange trees, and he suggested that more trees be planted in interior streets.

Mr. Hale Paxton, 26101 Mission Road, addressed the Commission to state his opposition to a commercial area on Mission Road. He continued to request if the fence proposed on the south side of Mission Road to separate his property with the project could be a block wall, as the wood fence was unattractive. He presented his next concern regarding traffic and noise from vehicles entering and leaving the development east of his property, as his perception was that the road would come up to his property line. Commissioner Christianson asked Mr. Paxton if would approve a convenience store if it would fit in with the rest of the architecture and style of the tract. Mr. Paxton replied that he couldn't support to any type of commercial designation on Mission Road.

Mr. Jim Stocker, 26234 Mission Road, addressed the Commission and stated that the project was directly across the street from his home and he too would oppose any type of commercial development on Mission Road. He also commented that he would like to know the distance between the front of the garage and the back of the sidewalk to make sure that homeowners would have sufficient space to park their vehicles in the driveway. He added that the density of the project was too high. He concurred with Mr. Paxton that block walls should constructed to ensure the privacy of the existing homes.

Mr. Ken Beilas, 1510 Orange Avenue, Redlands, spoke in support of the project stating that he had worked in the City of Loma Linda for some time and was anticipating the arrival of the project so that he could purchase a house and move into Loma Linda and be a part of the community. He added that as part of the family-oriented development, he stated that it would be an added convenience to have a corner store for the residents of the area.

Ms. Georgia Hodgkin, 24360 Lawton, Loma Linda, addressed the Planning Commission to urge them to deny on the proposed plan to build 263 homes on a mere 37 acres. She compared the size of Hulda Crooks Park, which is 16 acres to the size of the 37 acres of the proposed development and asked if the Commission could envision 131.5 homes there. She continued to say that the proposal to develop so many homes in no way met the basic criteria for development near Mission Road, as indicated in the Mission Road Overlay District. She continued to say that the plan did preserve the rural atmosphere of the area and did not create any link with to the history of Mission Road. Ms. Hodgkin also spoke on the concept of the proposed water feature and commented that she could not believe that its connection to the Zanja would be obvious to the residents. She mentioned that she did not believe that sidewalks could be called trails. She stated that no mention was made regarding the depth of the front and back yards and the distance between the homes and that she opposed the use of the term livable walkable because it was not possible to walk to any businesses located in the area. She concluded her comments by asking the Planning Commission to return the project to the developer with the request that it be made to conform to the historical ordinance.

Mr. Jay Gallant, 26284 Cresthaven Court, Loma Linda, addressed the Commission and stated that the developer has applied many of the neo-traditional concepts, however, this project, only some of the elements were put into practice. He continued to say that the project does not address issues of a define rural central area for the neighborhood, which was not defined clearly, there are no shops for the residents or offices at the edge of the neighborhood, no small ancillary building in the backyards that could be used by the owners for rentals or office space, little or no mixing of socio-economic groups

addressed, no civic building or prominent site provided on the termination of the street. He continued to say that planning the three projects on Mission Road did not constitute one real neo-traditional design or concept. He concluded his comments by stating that the project should be returned to the developer to be redesigned to achieve the true concept of neo-traditional and he added that he felt that the project was designed in favor of the developer not the City of Loma Linda and that there was no soul for the neighborhood.

Chair Neff closed the public comment period at 8:30 pm and asked Mr. Snell if he could provide responses to the comments from the audience.

Mr. Snell addressed the issue of parking stating that all garage-fronted homes had 16 feet from the property to the garage face and that there was a little more space between the property line and the sidewalk. He next responded to the comments that sidewalks were not trails by stating that the project provided both sidewalks and trails, which are distinguished by their extra width, their coloring and decorative pattern. Mr. Snell stated that they would more than happy to build block walls around the existing residences to cut down on the noise, and he added that he would be a split-face block wall with a capstone on it. Director Woldruff stated that it was something that was required and that staff would look into Mr. Paxton's concerns about the adjacent development and she believed that they should be constructing a block wall.

Senior Planner Lamson replied that the design guidelines approved by the Planning Commission and City Council for the other project included wood fences only for the area around Mr. Paxton's property. She recommended that a condition be added that would say:

"A 5-foot high block wall be constructed adjacent to the lot line adjacent to the property on the west side of the tract and that the block wall shall be split-faced block with landscaping planted adjacent to the wall for softening the wall appearance. The colors, materials and plant materials shall be reviewed and approved by Community Development Department."

Chair Neff concurred with the addition of the condition. Director Woldruff stated that staff would add the item to the Planning Commission checklist as a component. Chair asked Mr. Snell if he had any comments regarding the issue of traffic and noise. Mr. Snell replied that Mission Road and the interior streets in conjunction with the block were designed to slow traffic, as it was the most effective way to accomplish traffic calming.

Mr. Kohlenberger responded to the comments on landscaping, particularly the view of a park setting when traveling on Barton Road to hide the rooflines. He replied that there would lots of stately and broad-spreading street trees appropriate to the wide streets. On the issue of the citrus trees, he explained that in the area of the water feature, there was a setting of decomposed granite and that the citrus would have a separate irrigation systems appropriate for the needs of the trees. He added that the trees would be trimmed so that passers-by could see under and around them.

Chair Neff requested more information in regards to the suggestion of a commercial use. He polled the other Commissioners to get their input and discuss with staff. Director Woldruff explained that when the Historic Mission Overlay District was being formulated, there was a consensus of the people who attended the workshops that the south side of Mission Road was not an appropriate area for commercial uses and that was why that area was specifically left out. She added that the Mission area is a whole area with many component parts to it. The south side was considered to be most appropriate for residential, except for the node at California Street. She added that the other livable walkable community components would make a whole out of different areas within the Mission area.

Chair Neff asked if the area near the intersection of California and Mission Road was more likely to be designated for commercial use. Director Woldruff concurred and added that the General Plan calls for the realignment of Mission Road to match up with Orange Street to create a larger node with the property on California Street.

Commissioner Christianson commented that the Land Use Element of the General Plan was very clear that this area should be designated used for live/work artisan uses and buildings. He stated that if there were no commercial to support a development of this size on Mission Road, he would be in favor of having a live-above small-store below type of development within the community next to one of the trails or parks to accommodate the local residents and this use would still conform to the livable/walkable community concepts.

Commissioner Umeda stated that the proposed commercial use was not sufficient to serve this neighborhood. He added that if the Planning Commission wished to establish neo-traditional neighborhoods, the City needed to develop a village-commercial center plan on the north of Mission Road that would serve these communities in a village setting that would offer all types of services.

Commissioner Rosenbaum stated that she was in favor of some sort of commercial so the residents could take advantage of the proximity of services near their community.

Chair Neff asked if staff could provide insight into the issue of commercial development in the project. Director Woldruff stated that she could address some of the comments. She explained that the approach to Mission Road beyond the

historical facet of the issue, there was not one single property owner and the task as planners was to ensure that those component parts were present when the entire area was developed. She continued to say that there would be a commercial component at the east end of the south side of Mission Road, we know that there are two proposals for the north side that would incorporate village centers. She stated that there were many home occupations in Loma Linda and therefore the south side of Mission Road was designated an area where the concept would work and that the artisan language was just one example of what could go there. She added that the language of the General Plan should probably be changed to include more examples that identify administrative offices and/or professionals. Director Woldruff suggested that if the Planning Commission cannot come to a consensus on the issue of commercial, the Commission might want to refer it to City Council for their review in a public hearing process.

In response to a question from Chair Neff Director Woldruff stated that if any commercial component were to be proposed for that area, it would be brought before the Planning Commission as a Precise Plan of Design in a public hearing.

Commissioner Christianson commented that he would rather see residents of Loma Linda to shop in their own neighborhood or in the City of Loma Linda.

There were no comments brought for discussion in the Negative Declaration Initial Study, the Planned Community Document, the Development Agreement, or the Tentative Tract Map 16730.

Chair Neff opened the discussion on the Conditions of Approval.

Commissioner Rosenbaum requested discussion on the issue of solid fencing and commented that she would like to see the Planning Commission search for alternatives for solid fencing to promote interaction between neighbors. Mr. Snell explained that one side property owner gets the use of that side, at the backyard there is a fence that defines the private rear yard and he proposed that there should be solid fencing to retain the privacy. Commissioner Rosenbaum reiterated that she wanted the Planning Commission to start thinking in the direction of different kinds of separation between the homes, maybe not in this particular case, but for future projects. Chair Neff pointed out that in other projects, the Planning Commission had substituted wrought iron fencing along with the block wall to open up the spaces. Commissioner Umeda supported the idea of block walls for privacy.

The Conditions of Approval were discussed.

Chair Neff returned to the discussion of the proposal for a commercial concept in the project. Director Woldruff stated that technically, the commercial use had not been formally proposed to date and was not advertised in terms of the project description and not considered in the environmental document, therefore, she stated that it could not be recommended to the City Council for approval. She continued to say that there was a way to address it and that would be through a compromise going into the Planned Community document and adding in a provision that commercial may be considered at a future date and further define it perhaps as neighborhood commercial, that would be considered as an amendment to the Planned Community document and a Conditional Use Permit (CUP) at a later date. She added that the applicant would have to formally request review by the Planning Commission to amend the zoning document for the area and go through a CUP.

Chair Neff stated that he was opposed to the commercial as presented but would reconsider the matter when additional information was available. Director Woldruff stated that the matter could be referred to in the Staff Report for the City Council indicating that it had been added and the Council could act on they would want to include it or not.

It was the consensus of the Planning Commission to not make any reference or recommendation in the matter of the commercial use, as the any future request would have to be resubmitted for the Commission's review and approval.

Chair Neff opened the discussion on Precise Plan of Design (PPD) 04-03. He stated that color material boards had been circulated to the Commissioners and asked staff to explain what the issues that staff had with the color scheme. Senior Planner Lamson explained that language

had been added to Condition 1.17 to address the contrast between the base colors for the certain schemes.

Condition 1.17 reads as follows:

The proposed color schemes, specifically the wall base color, shall be modified to create more of a contrasting difference between the base colors for the following schemes:

1. Schemes #5 and #15;
2. Schemes #13, #14, and #4;
3. Schemes #3 and #8;
4. Schemes #7 and #12; and,
5. Schemes #1, #2, and #11

Commissioner Rosenbaum asked to discuss the elements of the house plans. She pointed out that some of the garages were windowless. Mr. Snell stated that he would like to work with staff on the selection of garage doors styles because there were new styles of garage doors that not only have windows but also have distinctive designs. Senior Planner Lamson clarified that Commissioner Rosenbaum wanted additional windows not just windows on the door but also on the walls. After further discussion, Commissioner Rosenbaum withdrew her request.

Commissioner Rosenbaum stated that she would like a wrap around porch on Plan 1900.

Chair Neff pointed out that the Planning Commission had established a checklist to developers regarding issues that affect all development. Chair Neff asked staff if the list could be incorporated into the conditions of approval. Senior Planner Lamson replied that the list was provided to the developer in the design stage to ensure that all of the issues are taken into consideration, because not all of the issues that may not be specifically addressed.

As to the issue of the wrap around porch for Plan 1900, Ms. Lamson stated that she would like to ask Mr. Snell about setbacks. Commissioner Rosenbaum added that she would like a wrap around porch on Plan 2100 also although it may not be possible because of the location. Ms. Lamson concurred with Commissioner Rosenbaum, stating that on Plans 1700 and 2700, which have wrap around porches had been located on corner lots. Mr. Snell replied that he would add the porches on Plans 1900 and 2100 where the elevation was appropriate. Ms. Lamson stated that a condition could be added that would say: "Where appropriate, staff will work with the applicant to add wrap around porches to Plans 1900 and 2100."

Commissioner Rosenbaum pointed to Plan 2100, on the right side elevation and asked if there was the possibility to add a window to bedroom #2 to address the blank wall. Mr. Snell replied that they do occur on corners and other public areas he could add a window where possible. Senior Planner Lamson suggested a condition that would say: "Additional windows be added to the right side of Plan 2100 to break up the massing of the blank wall."

Commissioner Rosenbaum pointed to the Mission Road Plan 2 model and stated that there was no window in the kitchen. Senior Planner Lamson replied that the kitchen opened up to the nook and the family room. She commented that adding a window in the kitchen in the Ryland Homes project did not complement the design of the house. Mr. Snell responded that there a window over the sink had been part of the design.

Commissioner Rosenbaum wished to discuss the landscape plans.

Commissioner Christianson wished to comment on the issue of density in the project. He stated that although the Lawrences' request to reduce the density to 5 d.u. per acre would force a

change in the General Plan, he would also like to see the density decreased. However he added that, by his calculations, a decreased density would reduce the number of houses by only 68 homes and would not change the overall look of the tract.

Commissioner Rosenbaum commented that the tot lot equipment and design must be accessible to all children with any type of handicaps not simply to kids in wheelchairs. The applicant confirmed that tot lot equipment in the project was accessible to all children.

Commissioner Rosenbaum asked for clarification about the parking issue. Senior Planner Lamson replied that the applicant provided concepts for additional parking. She added that there was a condition in the Conditions of Approval indicating that all of them should be implemented. Chair Neff stated that he would recommend that the applicant provide all of the additional parking as shown on the plans. Mr. Snell pointed out that if all of the parking spaces were required, the sidewalks would have to be realigned to go around the parking areas. He continued to say that the on street and parking spaces were for guests and the Association would establish regulations, such as parking permit, for homeowners who owned several vehicles.

A discussion regarding the permitted use of a homeowner's garage ensued. Commissioner Christianson stated that the example regulations provided to the Commission about the use of the garage space were too constrictive. Mr. Snell explained that the language in the CC&Rs should say that any of the activities in the garage space should not preclude the ability to park in the garage. Senior Planner Lamson added that the language of the CC&Rs was only an example provided by the applicant. She stated that staff with the applicant to prepare the language for the CC&Rs.

Chair Neff asked for the consensus of the Commissioners on the issue of parking. Commissioner Rosenbaum stated that she did not want to realign the sidewalks to go around the proposed parking area, therefore, did not want the additional parking. Commissioner Umeda stated that it was a good idea to add parking spaces to the fullest extent of what was being proposed. Commissioner Rosenbaum stated that she was open to some additional parking but not the full amount being proposed. Senior Planner Lamson proposed adding the parking along the open space along the bank going up to Barton Road and possibly where the diagonal parking was located on the plans as appropriate areas. It was the consensus of the Planning Commission to approve adding 22 parking spaces at the bottom and 10 at the top of the embankment. Mr. Snell concurred.

Senior Planner Lamson indicated that she would amend condition 1.28 to reflect the Commission's decision.

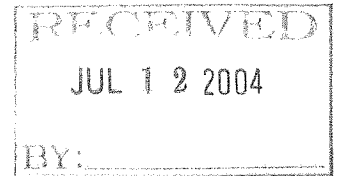
In response to Commissioner Rosenbaum's question on Plan LC-8, Mr. Snell explained that what she saw on the drawing was a picket that the developer would install because that particular house faced a park and the 30-36" picket fence was to separate the property from the park.

**Motion by Rosenbaum, seconded by Neff, and carried by a vote of 3-1, Umeda opposed, to forward to City Council to Adopt the Mitigated Negative Declaration; Approve and adopt General Plan Amendment No. 04-01 and Zone Change No. 04-01, based on the Findings; Approve the Development Agreement; and, Approve Tentative Tract Map No. 16730 and Precise Plan of Design No. 04-03 based on the Findings, and subject to the Conditions of Approval as amended and to Approve the Planned Community document.**

# **Attachment G**

**Letters Regarding Proposed Project**

Loma Linda Civic Center  
City Clerk  
25541 Barton Rd.  
Loma Linda, Ca 92354



Meeting ( 7/7/04) Planning commission and Developers  
Inspired me to write – Please see that all members of  
City Council receive... Thankyou

July 2004

I love America the land of the free and in particular S. California  
my home of 71 years, however the changes to the concept of home  
building is not what I can embrace.

The foundation these homes sit upon is not good sense but dollars  
and cents and more value is placed on money rather than sturdy  
morals.

Today's thinking places more emphasis on community masses  
rather than the needs of the individual such as peace, quiet, privacy  
and room to grow.

Homes are stacked so close together and told the reason is so  
everyone can become more friendly as if being close is needed to  
be a friendly neighbor. People have enough closeness away from  
home that they need a place to relax, get away from the daily  
pressure, and lay aside their stress. They do not need others  
walking through their yards, looking in their windows or sharing  
every move they make as each one is able to see the other because  
of the lack of any yard space around each house.

Families need a back yard where they can grow in numbers and in  
togetherness or just sit alone and enjoy the quiet and if they do not  
like to mow grass they can have cement. Parks do not take the  
place of back yards – mothers can't be at the park watching  
children and also at home doing her work and children should not  
be sent to the park without loving supervision. There is too much  
danger even from those who pretend to be responsible.

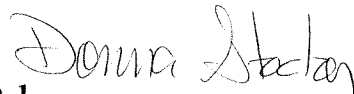
The too narrow streets in these developments are suppose to slow down traffic- the car may slow down but not the driver's frustrations and when the garbage, yard workers, mail and fire trucks need the same space what then?

I would like to see more wisdom and sanity in the development planning. It seems that plans can be developed to build even when no water is available (water is a must you know) and even if water is made available, who and where is it being taken from and why will we be surprised when one day we are asked to ration ours.

Is it too much to ask to give we the people more land to place our homes upon, the right to build fences, the choice to be friendly, the privilege of privacy and streets that do not hinder traveling needs? I hope someone responsible that really cares is paying attention.

Respectfully

Donna Stocker



26234 Mission Rd.

Redlands, Ca. 92373

(909) 796-1424



July 9, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, CA 92354

Dear Elected Officials:

As a citizen of the Loma Linda area, I urge you to **vote no on the proposed plans to build 93 homes on 10 acres and 263 homes on a mere 37 acres on Mission Road.** I understand that this is a historic part of Loma Linda. Building 93 plus 263 homes so close together does not preserve the history or character of the area.

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Please consider other issues of **sufficient water, police/fire protection, other City services, crowding, appearance of a sea of roof tops.** Lets keep the atmosphere of a university town with roots in citrus farming. Please return the plans to the developers with the request that they reduce the density significantly and preserve the rural atmosphere of the area.

Sincerely,

1. Valerie Gallant 26284 CRESTHAVEN CT LOMA LINDA
  2. Tim WATSON, M.D. 26276 CRESTHAVEN CT. LOMA LINDA
  3. Kathy Stjuka, M.D. 26276 Cresthaven Ct Loma Linda
  4. Kathleen Cochran 26265 Cresthaven Ct. Loma Linda
  5. Frank Cochran 26265 Cresthaven Ct. Loma Linda
  6. Barbara McDaly 26236 Cresthaven Ct Loma Linda
  7. Jonathan Daly 26236 Cresthaven Ct Loma Linda
  8. Dian Gutierrez 26245 Cresthaven Ct Loma Linda
  9. Sami Sivigant 26253 Cresthaven Ct. Loma Linda
  10. Sub Sivigant 26253 CRESTHAVEN CT Loma Linda
  11. Melissa Sivigant 26253 Cresthaven Ct. Loma Linda
  12. Gay J. Beck 26290 CRESTHAVEN CT. LOMA LINDA
  13. Aldamarie Beck 26290 Cresthaven Ct Loma Linda
- OVER

14. ~~Stacy Johnson~~ - 25938 Gardiner St L.L.
15. Carolis J. J. 25938 Gardiner St L.L.
16. Eni Mohammed 25803 Amarolas St. Loma Linda
17. Louie Morgan 26092 Bancroft St. LL 796-0418
18. George & Phyllis 25082 Prospect St 796 2682
19. FRED RAMOS 26445 First St San Marcos 796 3253
20. Betty Clark P O Box 1460 92354
21. William B. J. 11422 Loma Vista Dr Loma Linda 92354 796-1580
22. James Ship 11553 Cedar Way, Loma Linda CA 796-9622
23. Elmer J. J. 10613 Ohio St Loma Linda
24. Rudy J. J. 24144 University Ave Loma Linda
25. Margaret A. Rojas 25547 ORANGE CREST WAY L.L. CA. 92354 796
26. Mary Lynn Cooke 25340 Mead St. LL 92354 796 7282
27. DICK WILEY 10848 PEPPER WAY LL 92354
28. Janet Rayzouk 11491 Poplar St LL 92354 796 2057
29. Jay J. 26284 CRESTHAVEN CT LL 92354 796-6257

July 9, 2004

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City of Loma Linda  
Loma Linda, CA 92354

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Sincerely,

Tony Monzella  
P. Esther Volk

Esther Ayala  
Sarah B. Clear

Annmarie Roth

J-R  
Jessica Shechik

Mommi Lee  
Karl An

Earl R.  
Art Rodin  
Kary Stauden

Gavin Hew

Jeff Sattling

James and Mary King

July 9, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, CA 92354

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Sincerely,

B. Rodney Jabola  
26436 Antonio Circle  
Loma Linda

Betsy Jabola  
26436 Antonio Circle  
Loma Linda 92354

Anna Calaguas  
26159 Alder St  
Loma Linda CA 92354  
Barbara Boydsonmigueo  
25831 Mariposa St  
Loma Linda, CA  
92354

Josephine Vipond  
26465 Francis Co Cir  
Loma Linda

Jimmy Ruben  
11881 San Timoteo Copi  
Redlands CA 92373

Susan Boyd  
35839 Mariposa St  
Loma Linda CA 92354

Patti Escarza  
27122 Pilgrim Rd  
Redlands, Ca 92373

Berlin Ryland  
~~26465 Francis Co Cir~~  
Loma Linda, CA

July 9, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, CA 92354

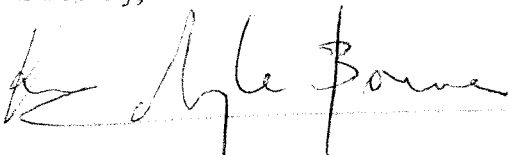
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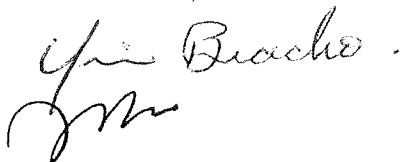
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Sincerely,

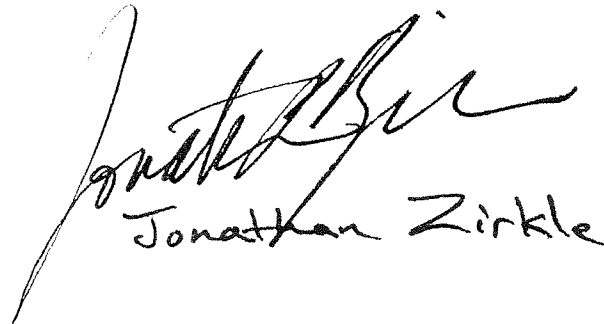
  
Kyle Borne

  
Kent Chow

  
Beverly N. Stokes

  
Jim Bracho

  
Melody Chamber

  
Jonathan Zirkle

July 9, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, CA 92354

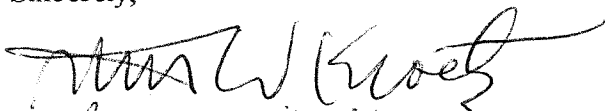

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Sincerely,

  
Maria L. Kroetz  


July 9, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, CA 92354

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Sincerely,

*Paul Bancroft*  
*John Lanning*  
*Debbie Tolsted*  
*Chandra Pat*  
*James*  
*Maya*  
*Ed Bruts*  
*David W. Baber*  
*Kathleen Tuttle*  
*Pam Cook*  
*Lisa*  
*John & Verna*  
*Henry Martorell*  
*John*  
*Charles*  
*Pat*

July 9, 2004

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Sincerely,

STETH LAONA

Silvia Ruiz  
R. Ruiz

James So Barri  
Rajiv So Barri

James So Barri

James So Barri

James So Barri

Gerardo Toledo Jimenez

Yanuel Jimenez

Yanuel Jimenez

Yanuel Jimenez

Yanuel Jimenez

Margenta Mance

James So Barri

Monika R. Barri

James Bikash Barri

James So Barri

James So Barri

James So Barri

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James So Barri

James So Barri

James So Barri

James So Barri

James So Barri



July 9, 2004

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Sincerely,

E. Haddad

Jeanne L Stoddard

J. Fester

B. Mar

B. Crossin

Mary M. Gentry

Wade L

James M. Lynn

Ardis Wazdatskey

July 9, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, CA 92354

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Sincerely,

*Howard Segle*

*Loy*  
*W.T. J.D.*

*M.Y. Solomink*  
*Clayma Solomink*

July 9, 2004

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City of Loma Linda  
Loma Linda, CA 92354

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Sincerely,

Richard W. Hubbard  
Willis Schlenker  
Dorleen C. Schlenker  
Courtney Hubbard  
Marjorie L. Meyer  
Melba Zimmermann  
Robert L. Chapman  
Liliana R. Chapman  
James A. Meyer  
Joseph C. Fungor Jr.

July 9, 2004

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City of Loma Linda  
Loma Linda, CA 92354

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Sincerely,

Reiko J. Khoo  
Pamela A. Reed  
Lark Beck  
Ken Rindley  
Gundy D. deForest  
Intithar Elias  
Eric Johnson  
Mrs. Jayle Weenrich  
(Van Lewen resident)

Arthur B. Marshak  
Bradford D. Mason  
Megan Medel  
Ashley  
Emuelo Dharmaraj

*Bert & Evelyn Connell*  
*25432 Orange Crest Way, Loma Linda, California 92354-3628*

---

July 12, 2004

Madam Mayor and Council Members  
City of Loma Linda  
Loma Linda, Ca 92354

Dear Friends:

As a citizen of Loma Linda, I am concerned about the proposed plans to build homes on two tracks of land with extremely high density. Home with this high density do not add to the character and needs of Loma Linda

The density is too high. This high density leads to problems related to overcrowding. There is concern about overcrowding in elementary schools. Similar problems exist when there is overcrowding in our neighborhoods. People living too close together create psychological problems similar to overpopulation of prisons. I am not suggesting that Loma Linda a prison, but the problem of overcrowding need to be considered.

Other issues of extra demands of water and other city services, traffic control, and police and fire protection seem not to be considered. I urge you to keep Loma Linda within its current character and not allow high density development at this time.

Thank you for your consideration.

*Bert Connell*

Bert and Evelyn Connell

RECEIVED  
JUN 16 2004  
CITY OF LOMA LINDA

June 3, 2004

Planning Commissioners  
City of Loma Linda  
Loma Linda, CA 92354

Dear Sirs and Madam:

I am writing in regard to the planned developments along Mission Road. My concern has to do with the proposed density of these two subdivisions.

As a concerned citizen of the City of Loma Linda, I have a long-standing interest in preserving the character of our town. The city has its roots in the citrus industry; thus a semblance of the peace and tranquility of that heritage needs to be maintained. Beginning in 1905, the City became a center for healthcare and education in the health sciences. Thus, the character of a university with its professional and student population should be reflected in further development.

The proposed subdivisions have taken the limitations of the draft General Plan to the maximum and beyond. The Plan allows from 5.1 to 9 single-family residencies per acre. Building 93 homes on less than 10 acres is an affront to the heritage of Loma Linda, to the visual impact along Barton Road, and to the potential congeniality of the proposed neighborhood. Of particular concern is the visual impact along a major entrance from the east to Loma Linda. Furthermore, architectural literature shows the results of building homes so close together is for those neighborhoods to have a greater potential for decay and crime.

I urge the Planning Commissioners to insist that the developers reduce the number of homes to five per acre. Loma Linda is best served by building homes attractive to the citizens who are employed here. It ought not be the City's role to provide housing for low-end wage earners from surrounding areas.

Sincerely,

*Frederick Lawrence*  
*Frederick R. Lawrence*  
*26430 Margarita Ln.*  
*Loma Linda, CA 92354*

# **Attachment H**

## **Planned Community Document**

# Mission Creek

## Tract 16730

### Planned Community Document

1. Use

Mission Creek consists of 263 single family dwelling units whose purpose is for use as permanent dwellings for single families and not for short-term rental or any other purpose.

2. Development Objectives

It is the Developer's intent to provide a planned community for 263 single family homes. The community has been planned to achieve a "walkable/livable" community where neighbors truly are neighborly; to provide its residents with parks, trails and aesthetically pleasing and generous landscaping, all centered around the idea of "community".

3. Area / Density

The community has an area of 39.15 acres gross and a density of approximately 6.7 dwelling units per acre.

4. Building Height

The height of any building shall not exceed the height of 32 feet above the top of curb elevation in the front of the home (chimneys excluded).

5. Setbacks

Mission Road Residences: The total sideyard setback (both sides of any residence) shall be no less than 25' with a minimum on any side of 10 feet to the livable space, 8 feet for garages, fire places or media niches. The Front yard setbacks shall be no less than 14' to the front plane of the livable space of the dwelling unit. Rearyard setbacks shall be no less than 16' from the rear property line to the rear plane of the livable space unit or to the front plane of the garage door.

Interior Residences with Front Garages: The front yard setback shall be no less than 10' from the front property line to the front plane of the livable space of the dwelling unit, no less than 6' to a covered porch and no less than 16' to the front plane of the garage door. The sideyard setback shall be no less than 3' from the property line for fireplace and media niche pop-outs and 4' minimum for living space. Typical lots shall have a use easement on the non-usable side (garage side) of their yard for the benefit of the neighboring property and shall have the benefit of a use easement on the usable side of their yard, allowing each unit to have a useable side yard with a minimum dimension of 7 feet.



Rearyard setbacks shall be no less than 13' from the rear property line to the dwelling unit and 4' to a covered patio. Lots that are on corners or of irregular shape may have a corner of the dwelling unit or the garage encroach into a front or rear setback by up to 2'.

Interior Residences with Rear Garages: The front yard setback shall be no less than 7' from the front property line to the front plane of the livable space of the dwelling unit and no less than 4' to a covered porch. The sideyard setback shall be no less than 3' from the property line for fireplace and media niche pop-outs and 4' minimum for living space. Typical lots shall have an use easement on the non-usable side (garage side) of their yard for the benefit of the neighboring property and shall have the benefit of a use easement on the usable side of their yard, allowing each unit to have a useable side yard with a minimum dimension of 7 feet and at a usable area with minimum dimensions of 10' by 15' along the side or rear of each unit. Rearyard setbacks shall be no less than 11' from the rear property line to rear plane of the garage door. Lots that are on corners or of irregular shape may have a corner of the dwelling unit or garage encroach into a front or rear setback by up to 2'

6. Recreational Facilities

It is the intent of the Developer to provide three large park areas within the community. The western park is planned to be the most active and will include a tennis court, two half court basketball courts, a handball court and a tot lot. The center park will include a water feature highlighting the citrus heritage of Loma Linda. It also features a large turf court, gazebo and tot lot. The eastern park will have a putting green, a tot lot, a sand volleyball court and an open turf area. The parks are connected by landscaped paseos through the center of the project. A trail also will be created throughout the community.

7. Homeowners Association

The residents of the community are bound by a Homeowners Association whose rules and regulations are outlined in the CC&Rs. The Association Board will initially meet monthly and will have a management company assist in the running of the association. The Board is responsible for the enforcement of the CC&R's through violation letters, hearings, fines and, if necessary, further action.

8. Lot Sizes

Mission Road Lots shall have a minimum lot size of 9,000 square feet and are as large as 13,569 square feet.

Interior Lots with Garage Fronts shall have a minimum lot size of

3,200 square feet and as large as 6,438 square feet.  
Interior Lots with Garage Rears shall have a minimum lot size of 2,625 square feet and as large as 4,827 square feet.

9. Parking Requirements

Each dwelling unit is provided with garage parking for at least 2 vehicles as well as driveways that may accommodate additional vehicles. Much of the community will also accommodate on street parking for guests.

10. Landscaping Requirements

The developer shall provide front yard landscaping for each dwelling unit. The developer shall also provide landscaping for all common areas, including parks and parkways. The HOA is responsible for maintaining the common area, park and some of the parkway landscaping. Each individual homeowner shall be responsible for maintaining his landscaping in a clean and attractive condition. In addition, backyard landscaping shall be installed by each homeowner within six months of the close of escrow, and shall obtain approval from the HOA Architectural Review Board for any back or front yard landscaping or improvements.

11. Accessory Buildings

Accessory buildings shall be allowed provided they use the same colors and materials as the dwelling unit, subject to review and approval by the HOA Architectural Review Board. The HOA Board of Directors may establish additional conditions and requirements

12. Architectural Review Committee





Notwithstanding any of the aforementioned restrictions, any alteration or improvement to a dwelling unit or lot is subject to the constraints, requirements and approval of the HOA Architectural Review Committee.

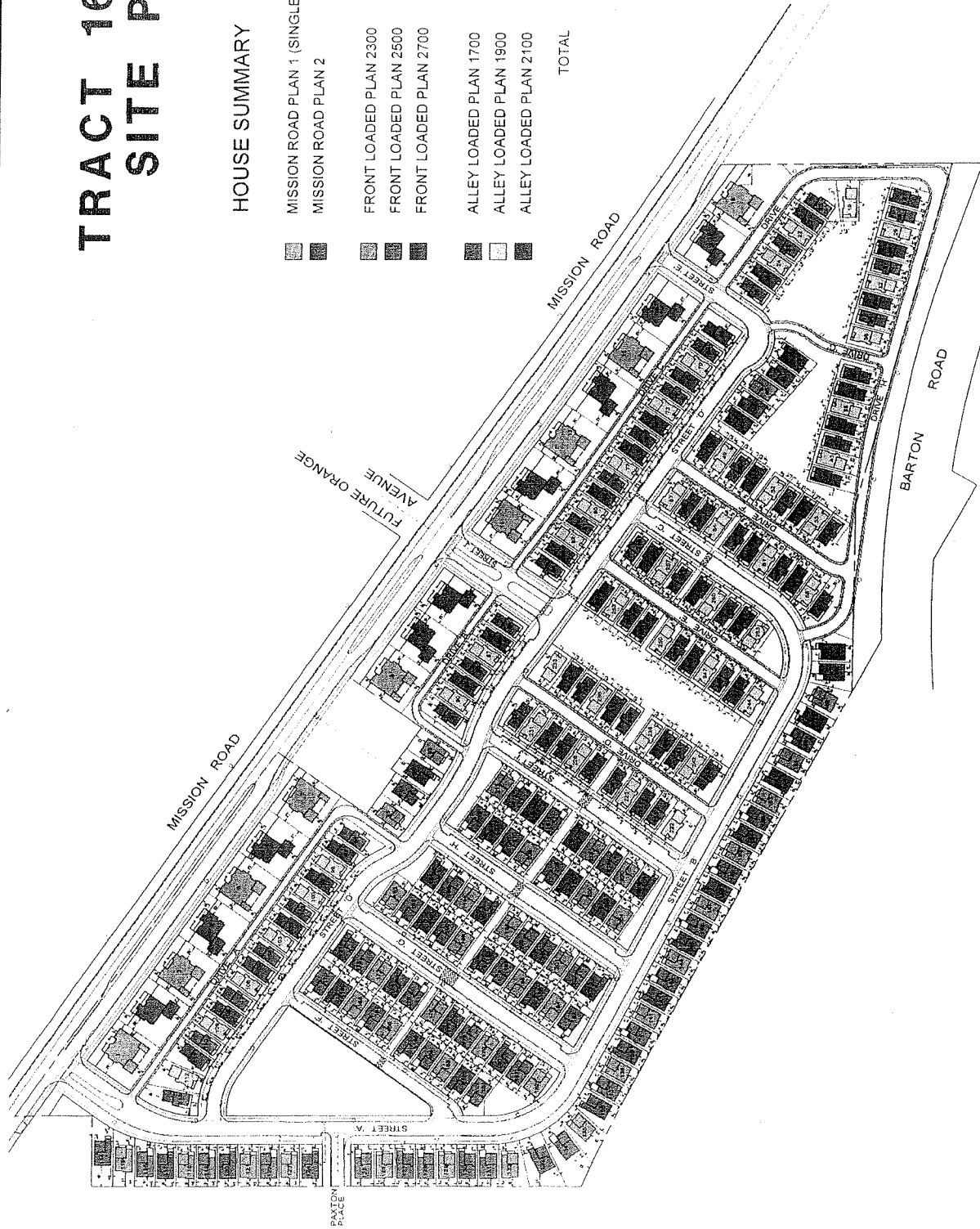
# **Attachment I**

## **Proposed Plans**

# TRACT 16730 SITE PLAN

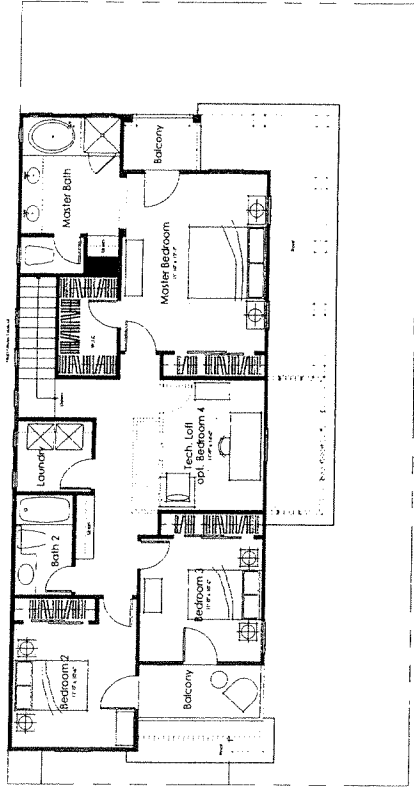
## HOUSE SUMMARY

	MISSION ROAD PLAN 1 (SINGLE STORY)	9
	MISSION ROAD PLAN 2	9
	FRONT LOADED PLAN 2300	39
	FRONT LOADED PLAN 2500	39
	FRONT LOADED PLAN 2700	39
	ALLEY LOADED PLAN 1700	43
	ALLEY LOADED PLAN 1900	43
	ALLEY LOADED PLAN 2100	42
	TOTAL	263

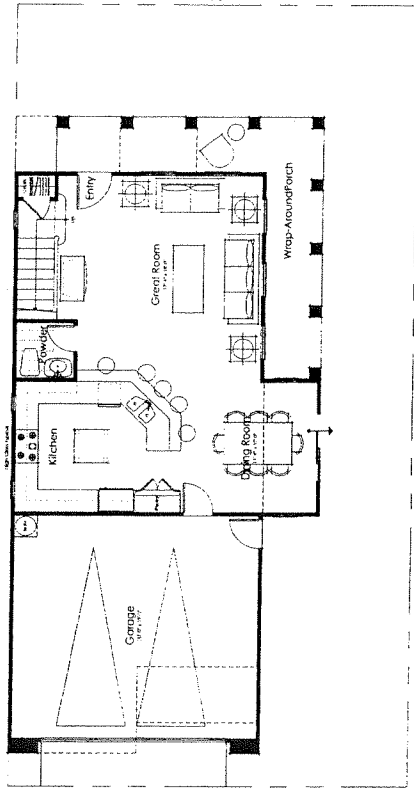


Gardner  
ASSOCIATES

TRACT NO. 16730 - SITE PLAN  
MISSION CREEK  
CITY OF LOMA LINDA



Second Floor  
3 Bedroom/2 1/2 Bath  
1,565 Sq. Ft.  
1,800 Sq. Ft. Total



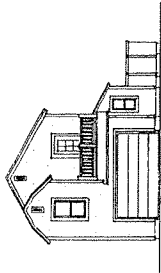
Plan 1700

First Floor  
3 Bedroom/2 Bath  
1,235 Sq. Ft.  
1,800 Sq. Ft. Total

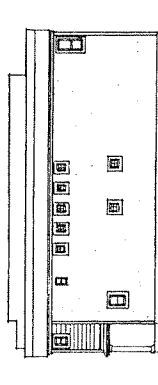


*Mission Creek*

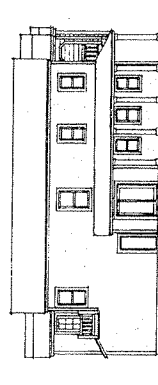
**APH**  
American Pacific Homes, Inc.



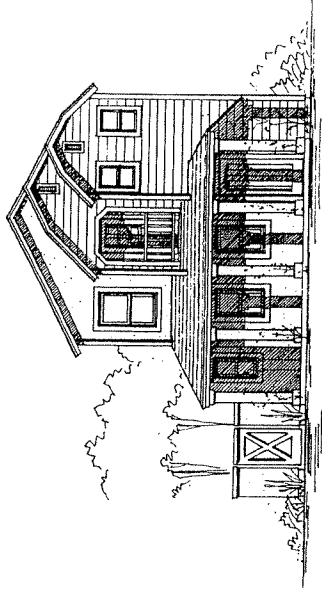
Rear Exterior Elevation



Right Side Exterior Elevation

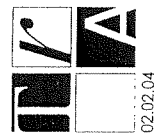


Left Side Exterior Elevation



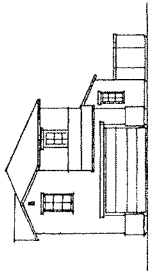
Front Exterior Elevation

Plan 1700  
American Farmhouse

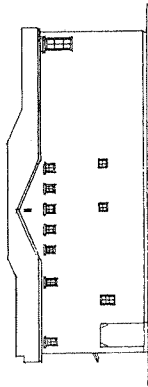


*Mission Creek*

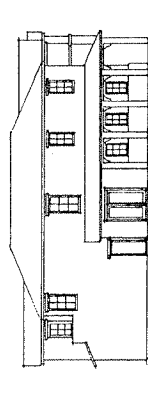
**APH**  
American Pacific Homes, Inc.



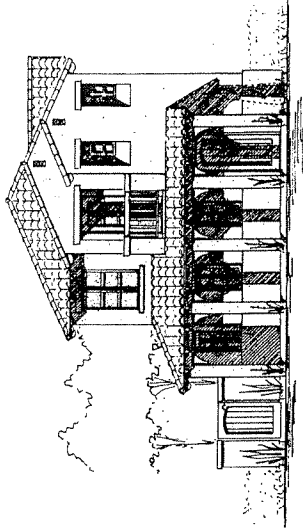
Rear Exterior Elevation



Right Side Exterior Elevation

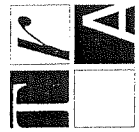


Left Side Exterior Elevation



Front Exterior Elevation

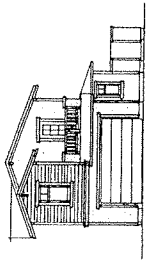
Plan 1700  
Early California



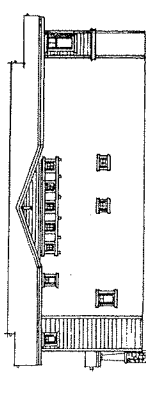
*Mission Creek*

**APH**  
American Pacific Homes, Inc.

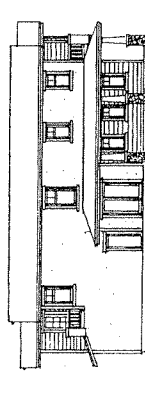
02.02.04



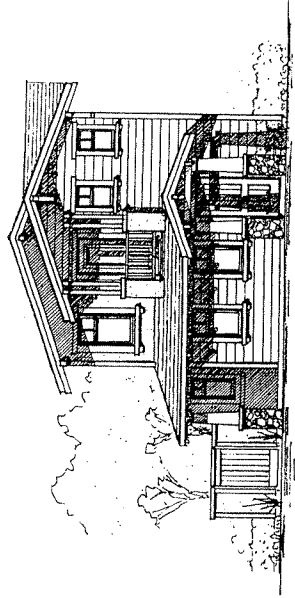
Rear Exterior Elevation



Right Side Exterior Elevation

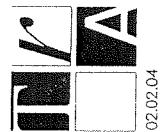


Left Side Exterior Elevation



Front Exterior Elevation

Plan 1700  
Craftsman

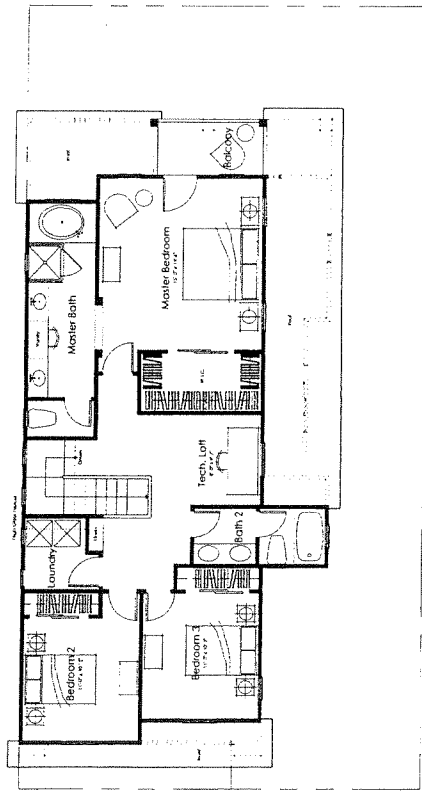


*Mission Creek*

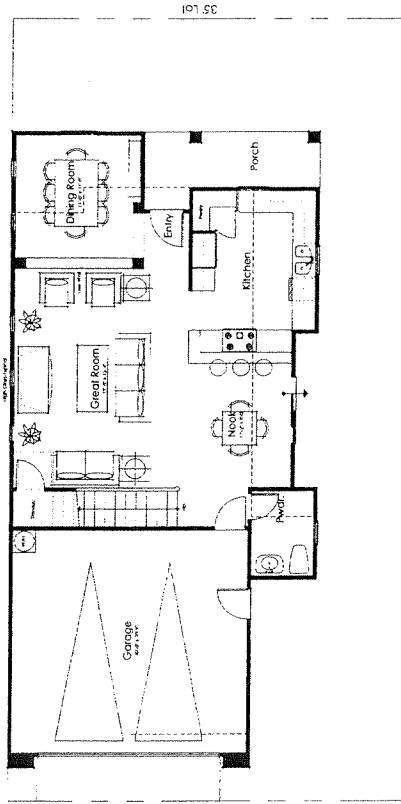
**APH**  
American Pacific Homes, Inc.

02.02.04



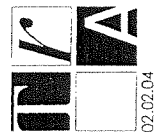


Second Floor  
3 Bedroom/2 1/2 Bath  
1,025 Sq. Ft.  
1,900 Sq. Ft. Total

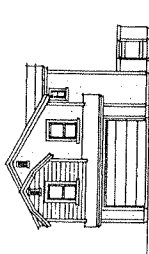


Plan 1900

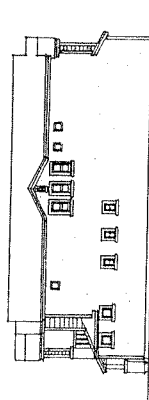
First Floor  
3 Bedroom/2 1/2 Bath  
875 Sq. Ft.  
1,900 Sq. Ft. Total



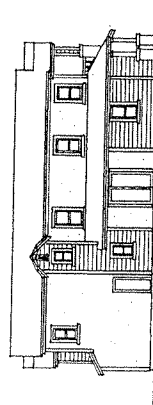
# Mission Creek



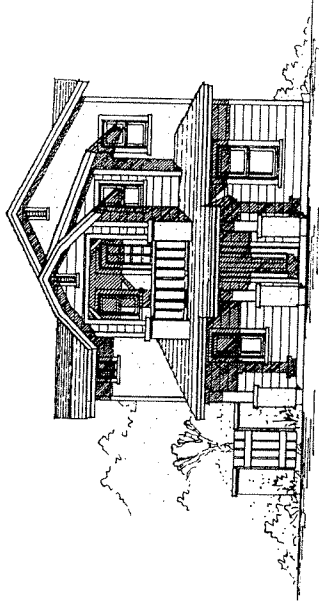
Rear Exterior Elevation



Right Side Exterior Elevation

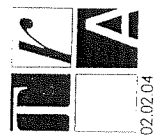


Left Side Exterior Elevation



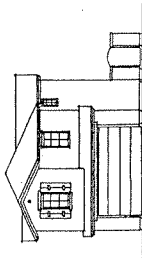
Front Exterior Elevation

Plan 1900  
American Farmhouse

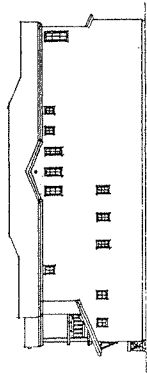


*Mission Creek*

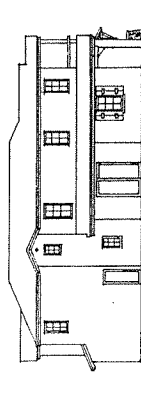
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American Pacific Homes, Inc.



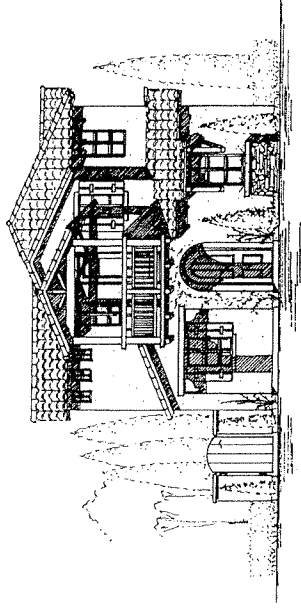
Rear Exterior Elevation



Right Side Exterior Elevation

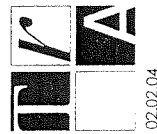


Left Side Exterior Elevation



Front Exterior Elevation

Plan 1900  
Spanish Colonial

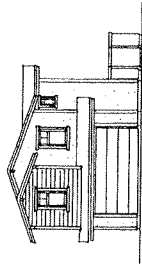


*Mission Creek*

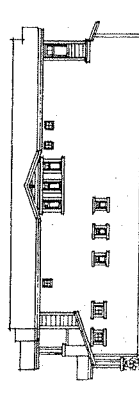


American Pacific Homes, Inc.

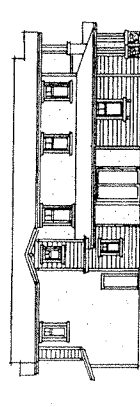
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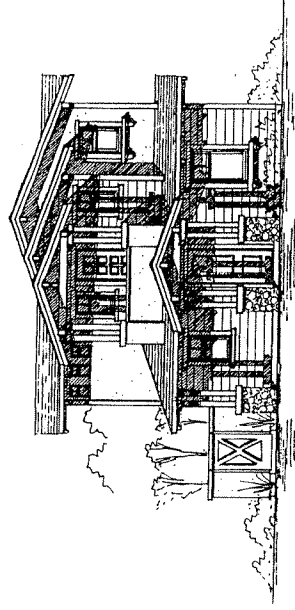
Rear Exterior Elevation



Right Side Exterior Elevation

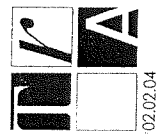


Left Side Exterior Elevation



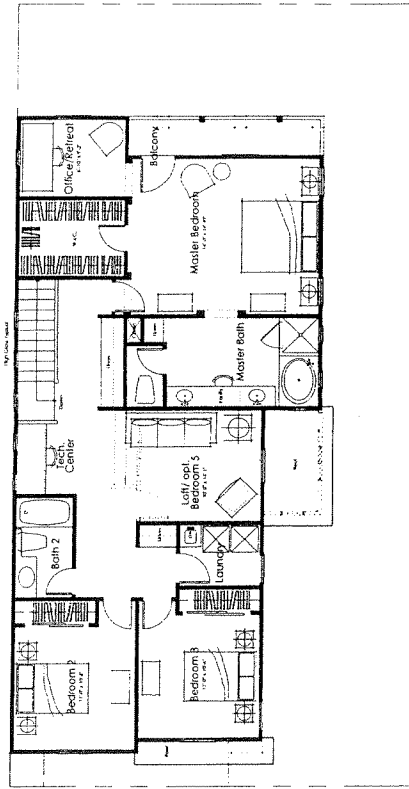
Front Exterior Elevation

Plan 1900  
Craftsman

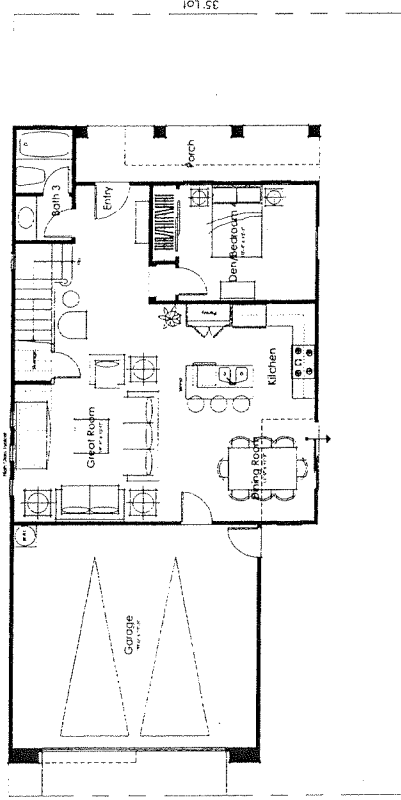


*Mission Creek*

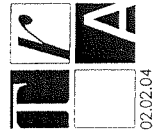
**APH**  
American Pacific Homes, Inc.



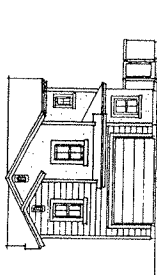
Second Floor  
4 Bedroom/3 Bath  
Loft/Bedroom 5  
1,275 Sq. Ft.  
2,130 Sq. Ft. Total



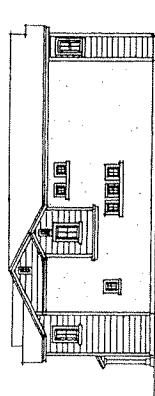
First Floor  
4 Bedroom/3 Bath  
Loft/Bedroom 5  
855 Sq. Ft.  
2,130 Sq. Ft. Total



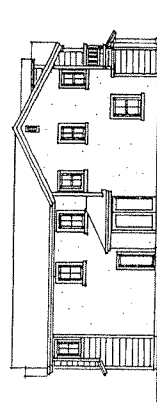
# Mission Creek



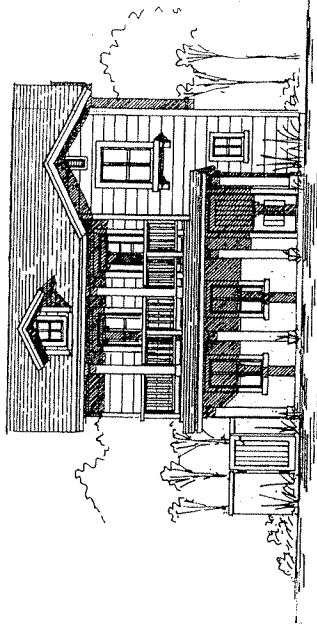
Rear Exterior Elevation



Right Side Exterior Elevation

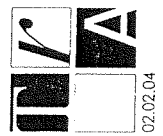


Left Side Exterior Elevation



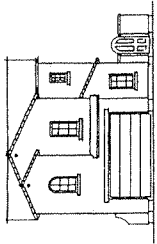
Front Exterior Elevation

Plan 2100  
American Farmhouse

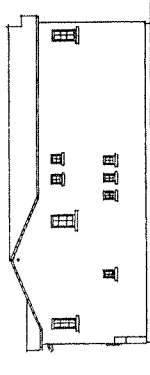


*Mission Creek*

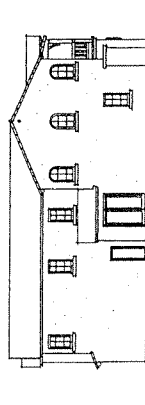




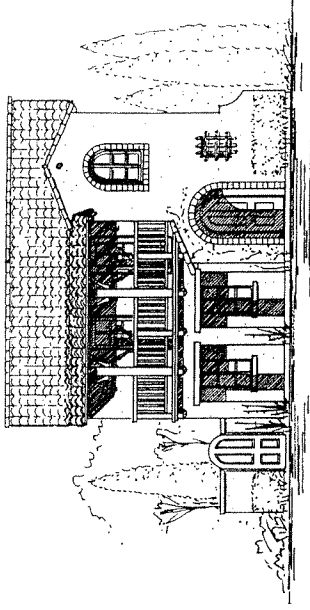
Rear Exterior Elevation



Right Side Exterior Elevation

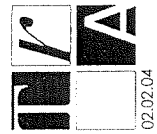


Left Side Exterior Elevation



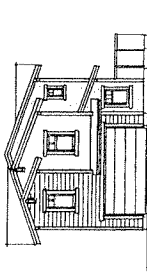
Front Exterior Elevation

Plan 2100  
Monterey

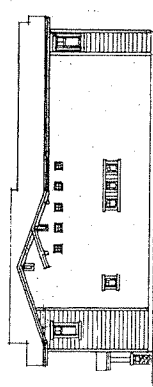


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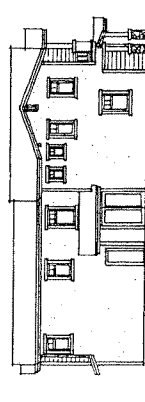




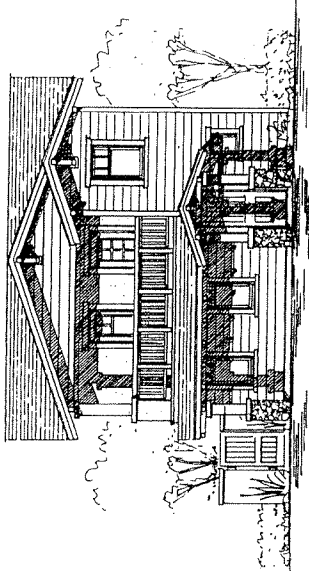
Rear Exterior Elevation



Right Side Exterior Elevation

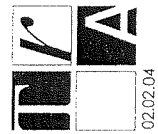


Left Side Exterior Elevation



Front Exterior Elevation

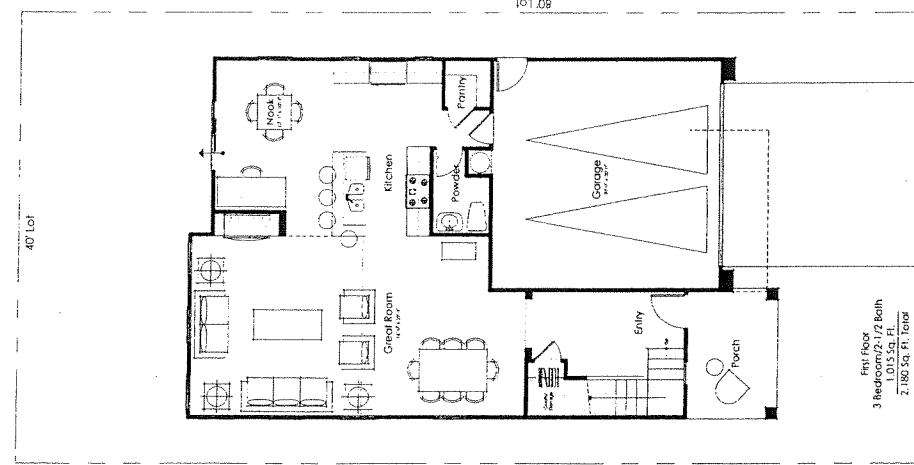
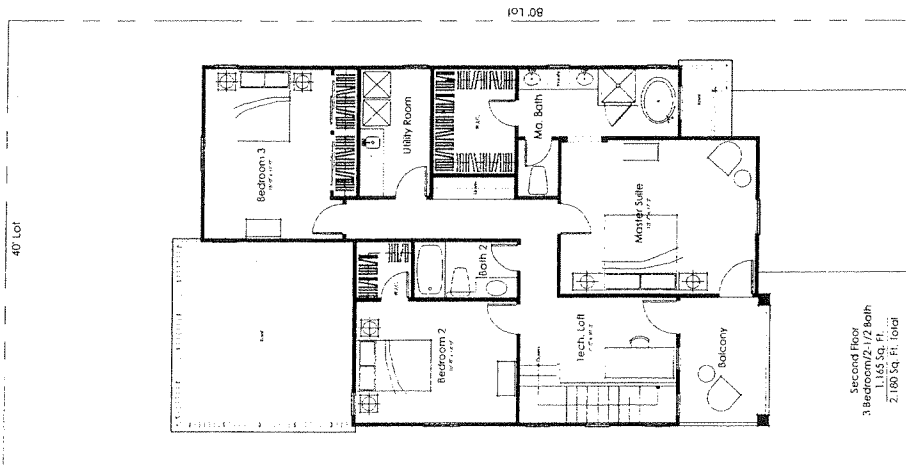
Plan 2100  
Craftsman



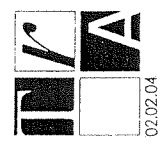
*Mission Creek*





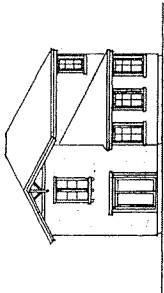


Plan 2300

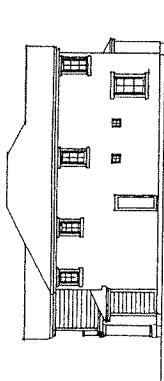


# Mission Creek

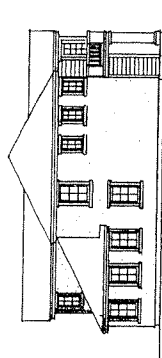




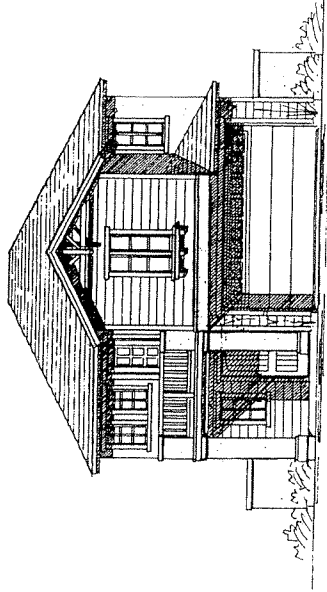
Rear Exterior Elevation



Right Side Exterior Elevation

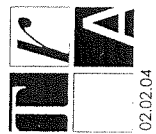


Left Side Exterior Elevation



Front Exterior Elevation

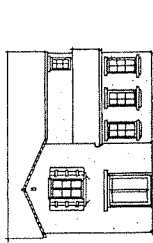
Plan 2300  
American Farmhouse



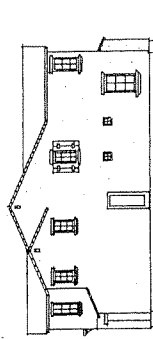
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*Mission Creek*

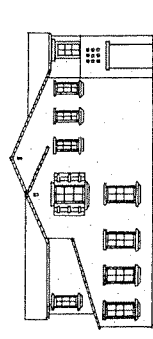
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American Pacific Homes, Inc.



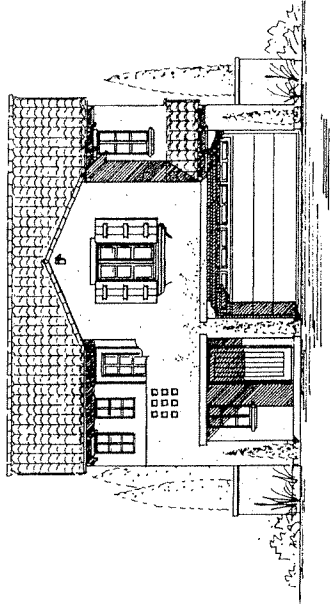
Rear Exterior Elevation



Right Side Exterior Elevation

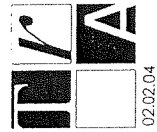


Left Side Exterior Elevation



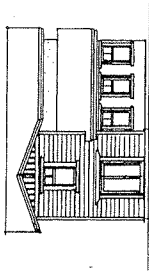
Front Exterior Elevation

Plan 2300  
Spanish Colonial

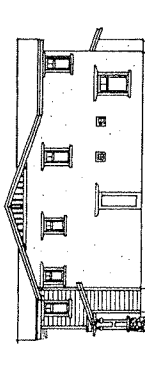


*Mission Creek*

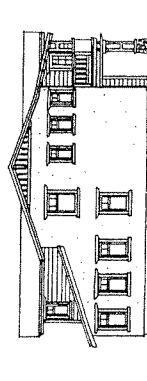
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American Pacific Homes, Inc.



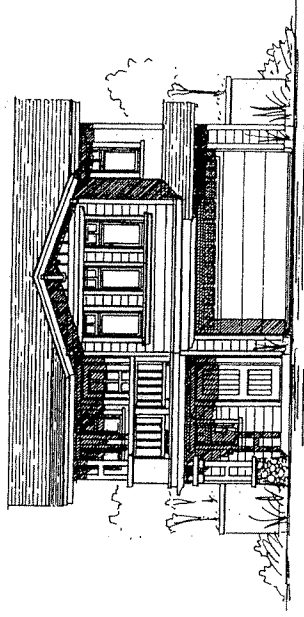
Rear Exterior Elevation



Right Side Exterior Elevation

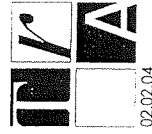


Left Side Exterior Elevation



Front Exterior Elevation

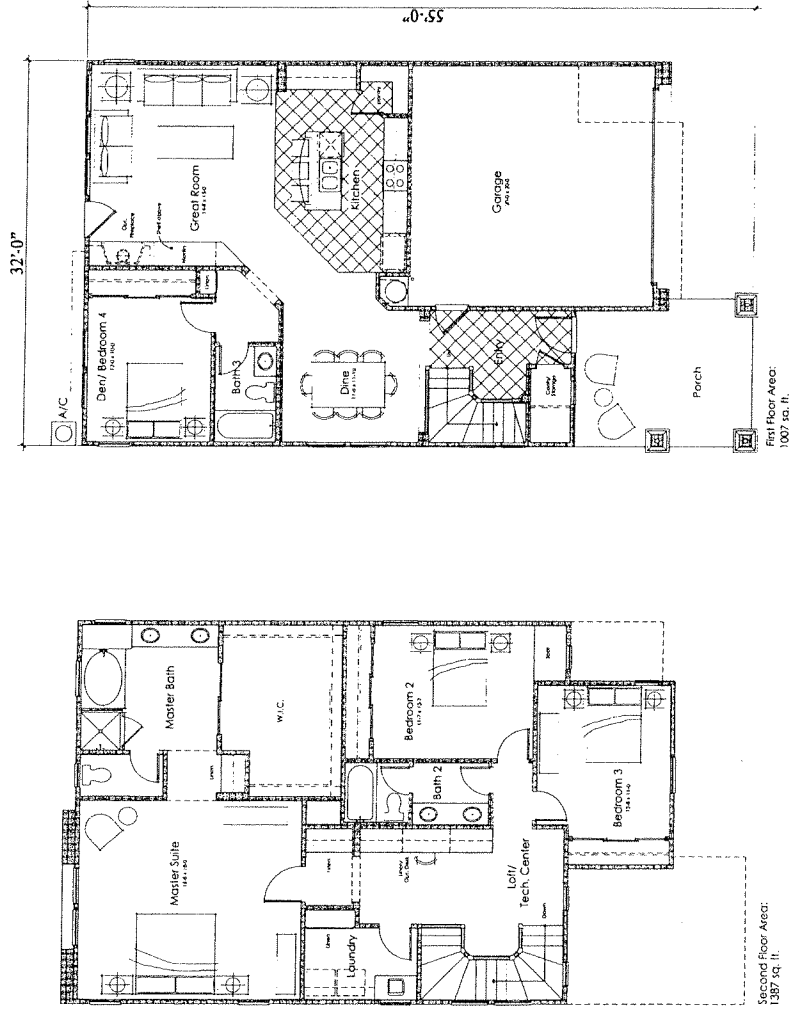
Plan 2300  
Craftsman



*Mission Creek*

**APH**  
American Pacific Homes, Inc.

02.02.04

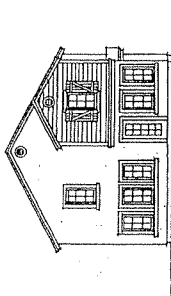


CONCEPTUAL FLOOR PLAN 2500 - 2394 S.F.

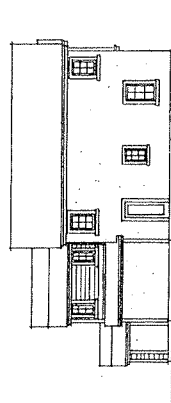
**APH**  
American Pacific Homes, Inc.  
4959 Redwood Road, Suite 310  
Montclair, CA 91763  
TEL (909) 988-9000 FAX (909) 988-5122

**MISSION CREEK**  
Loma Linda, California

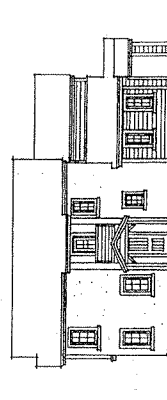
**KTGY GROUP, INC.**  
KATHLEEN TAYLOR GROUP, INC.  
10000 KATHLEEN DRIVE  
DALLAS, TEXAS 75243  
TEL (972) 412-1000 FAX (972) 412-1001  
KTOY 2004-141 May 25, 2004



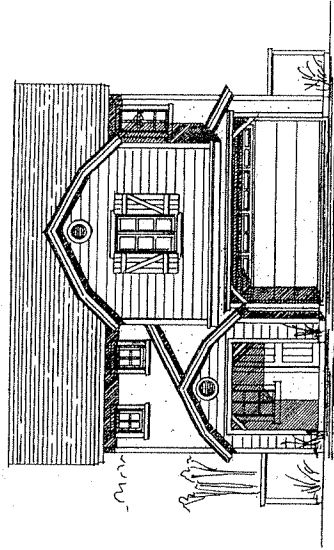
Rear Exterior Elevation



Right Side Exterior Elevation

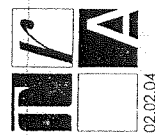


Left Side Exterior Elevation



Front Exterior Elevation

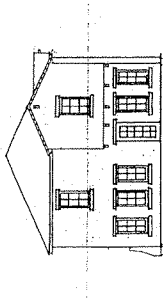
Plan 2500  
American Farmhouse



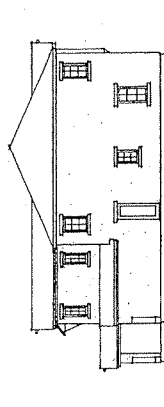
*Mission Creek*

**APH**  
American Pacific Homes, Inc.

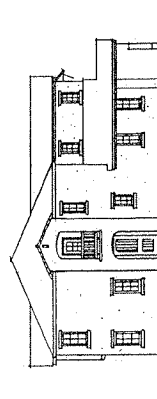
02.02.04



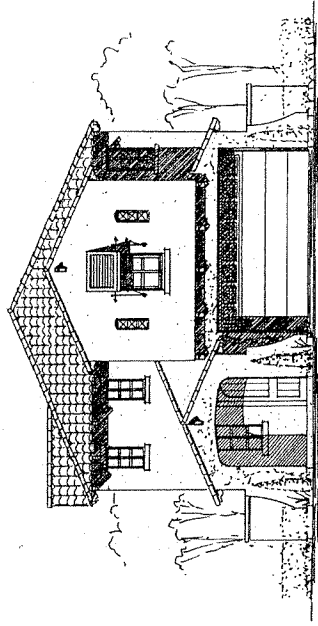
Rear Exterior Elevation



Right Side Exterior Elevation

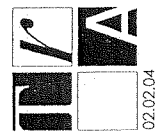


Left Side Exterior Elevation



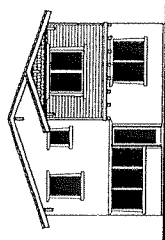
Front Exterior Elevation

Plan 2500  
Early California

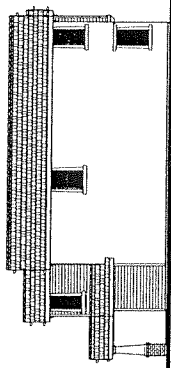


*Mission Creek*

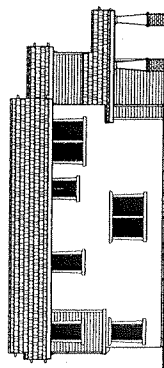
**APH**  
American Pacific Homes, Inc.



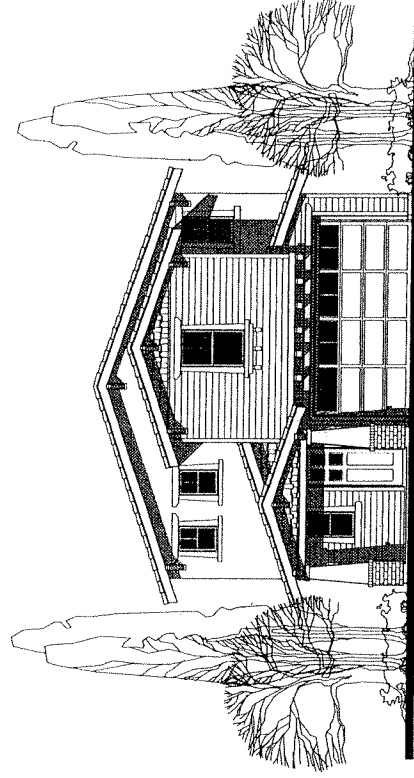
REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



FRONT ELEVATION  
(CRAFTSMAN)

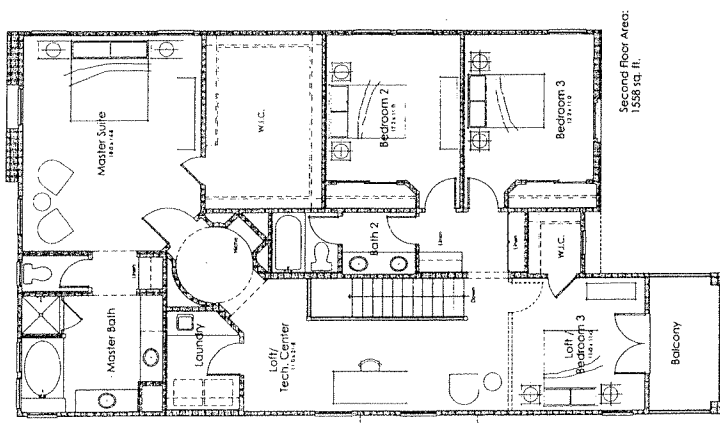
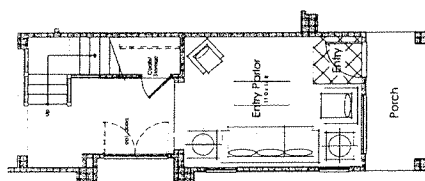
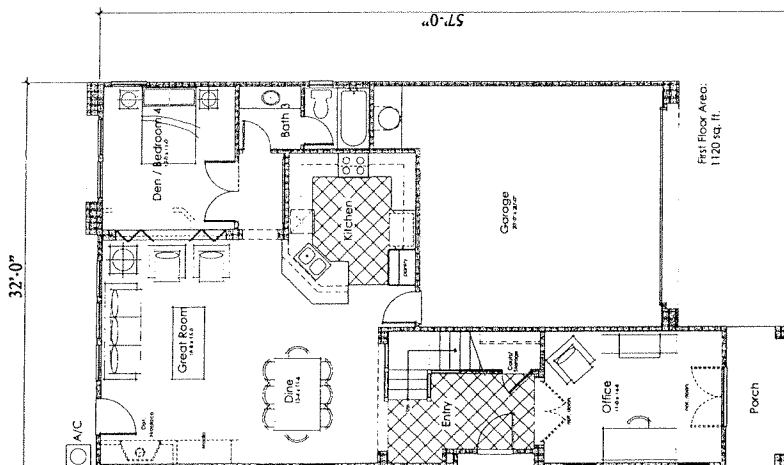
**APH**  
American Pacific Homes, Inc.  
3555 El Camino Real, Suite B10  
Menlo Park, CA 94025  
TEL: (650) 988-9000 FAX: (650) 988-9122

PLAN 2500 CONCEPTUAL ELEVATION

MISSION CREEK  
Loma Linda, California

**KTGY GROUP**  
KITCHEN & THERMAL GROUP, INC.  
10000 S. RAY BLVD., SUITE 100  
DALLAS, TEXAS 75243  
TEL: (972) 412-1111  
FAX: (972) 412-1112  
ALL RIGHTS RESERVED  
KTGY 2004-141 May 25, 2004





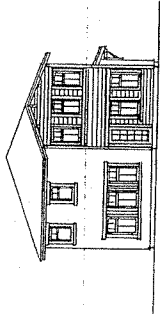
Optional Front Entry

CONCEPTUAL FLOOR PLAN 2700 - 2678 S.F.

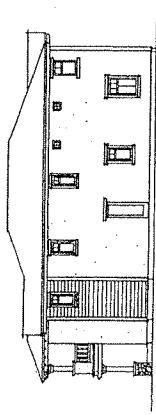
MISSION CREEK  
Loma Linda, California

**APH**  
American Pacific Homes, Inc.  
2550 Palo Verde Avenue, Suite B10  
Mission Viejo, CA 92692  
TEL (949) 948-9000 FAX (949) 948-9122

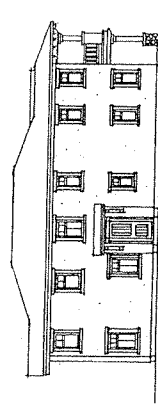
**KTGY GROUP, INC.**  
11111 Wilshire Blvd., Suite 1000  
Los Angeles, CA 90024  
TEL (310) 271-1111 FAX (310) 271-1112  
KTGY 2004-141 May 25, 2004



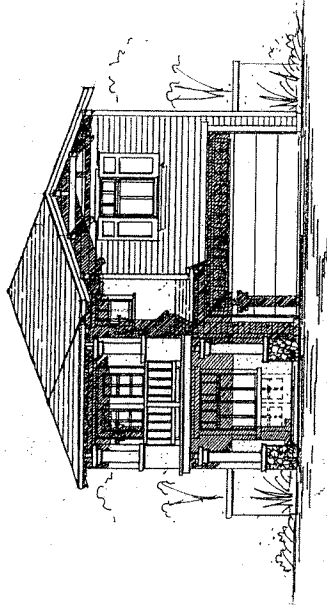
Rear Exterior Elevation



Right Side Exterior Elevation

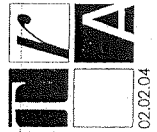


Left Side Exterior Elevation



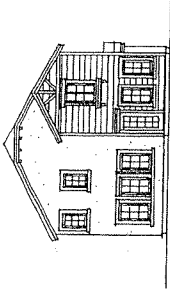
Front Exterior Elevation

Plan 2700  
Craftsman

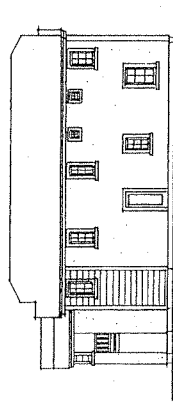


*Mission Creek*

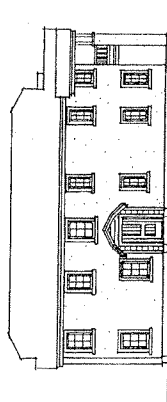
**APH**  
American Pacific Homes, Inc.



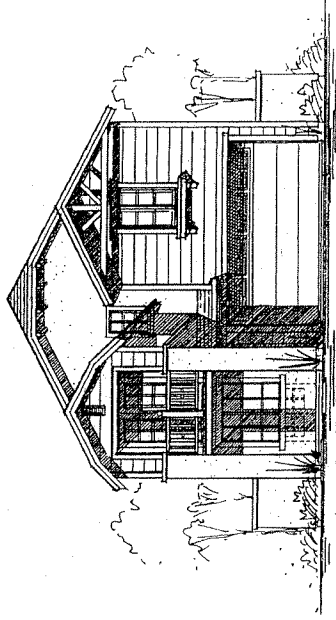
Rear Exterior Elevation



Right Side Exterior Elevation

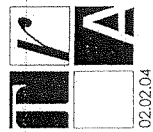


Left Side Exterior Elevation



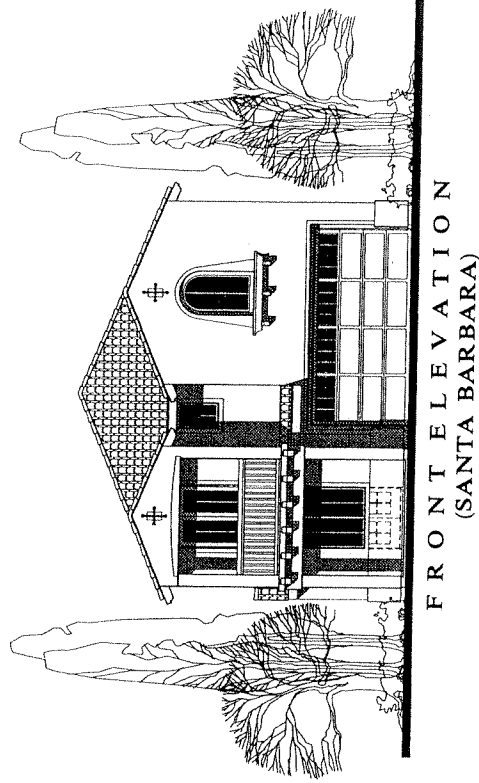
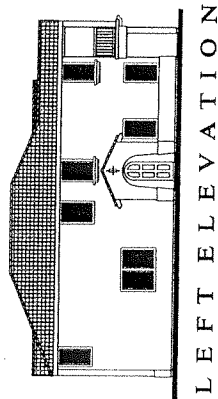
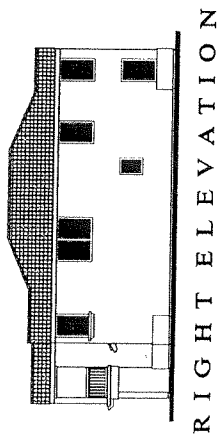
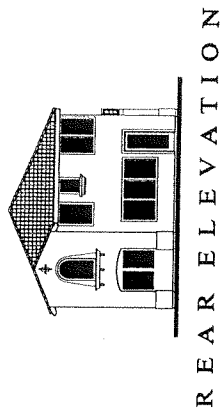
Front Exterior Elevation

Plan 2700  
American Farmhouse



*Mission Creek*

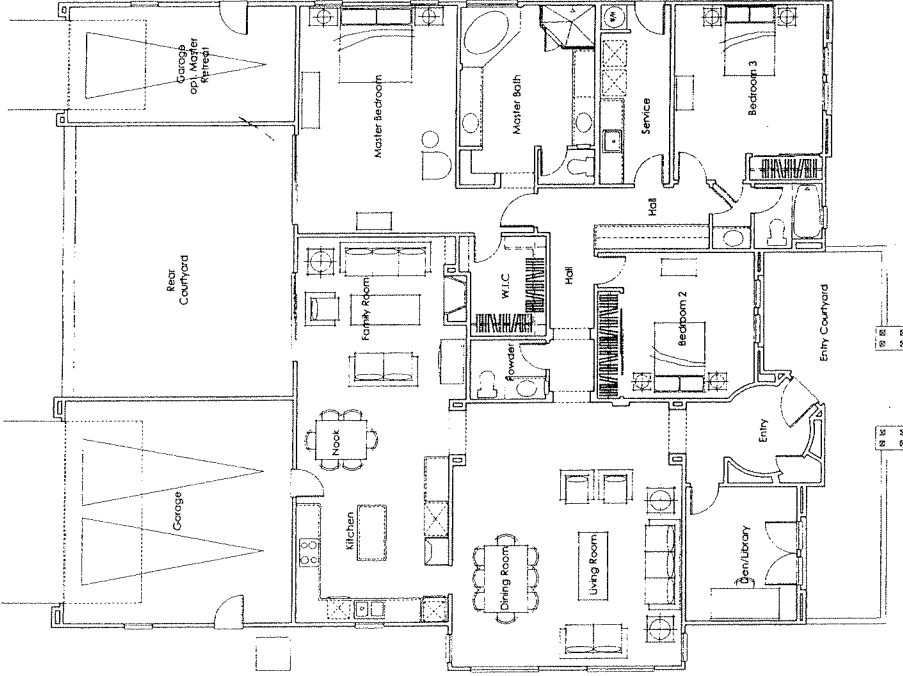
**APH**  
American Pacific Homes, Inc.



PLAN 2700 CONCEPTUAL ELEVATION  
MISSION CREEK  
Loma Linda, California

**APH**  
American Pacific Homes, Inc.  
4959 Palo Verde Street, Suite B110  
Loma Linda, California 92350  
TEL (909) 988-0000 FAX (909) 988-5122

**KTGY GROUP**  
KITCHEN & TUBS  
TILE & FLOORING  
PAINT & WALLS  
LANDSCAPE & GARDEN  
SANTA BARBARA, CALIFORNIA  
KTGY 2004-141 May 25, 2004



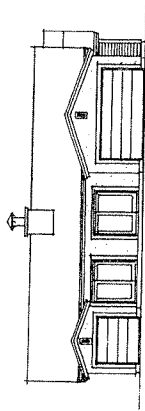
Mission Road  
Plan One

Single Story  
3 Bedroom / 2-1/2 Bath  
921 sq. ft. (approx.)  
2,650 sq. ft. Total

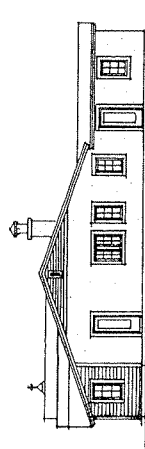


**APH**  
American Pacific Homes, Inc.

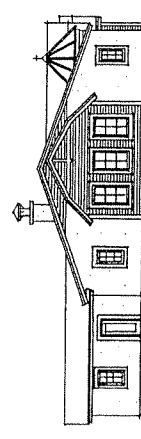
*Mission Creek*



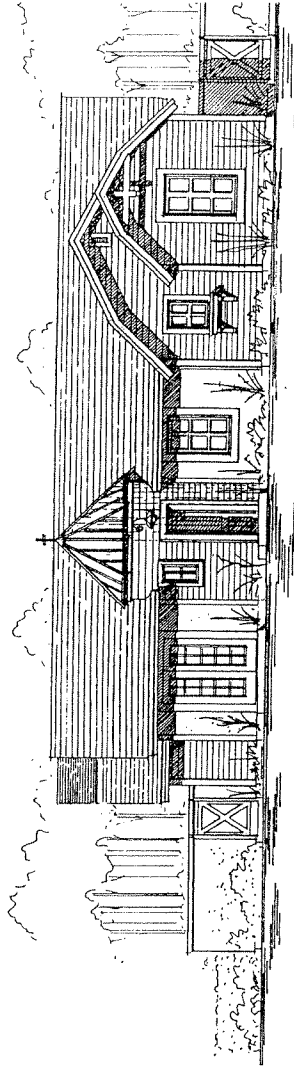
Rear Exterior Elevation



Right Side Exterior Elevation

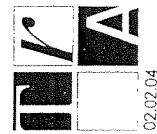


Left Side Exterior Elevation



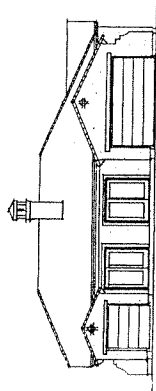
Front Exterior Elevation

Mission Road  
Plan 1  
American Farmhouse

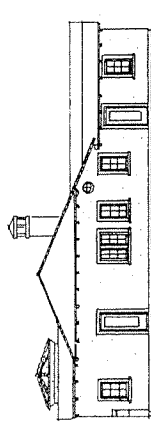


*Mission Creek*

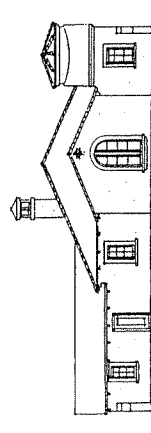




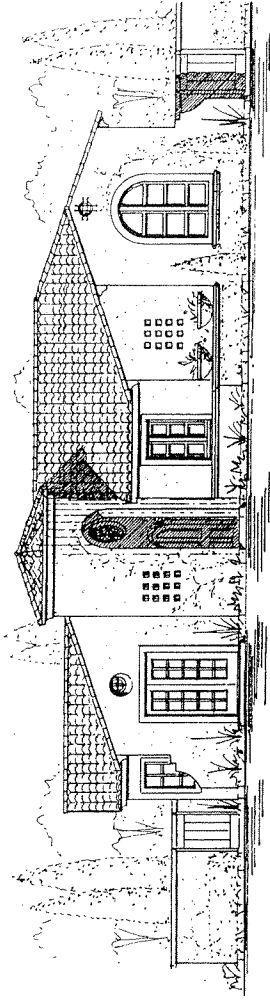
Rear Exterior Elevation



Right Side Exterior Elevation

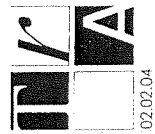


Left Side Exterior Elevation



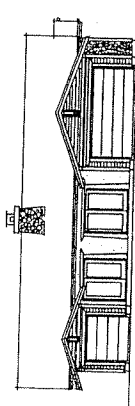
Front Exterior Elevation

Mission Road  
Plan 1  
Early California

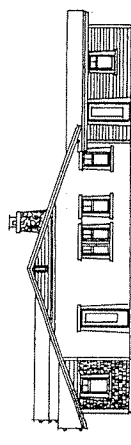


*Mission Creek*

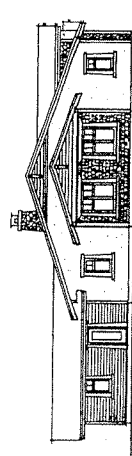




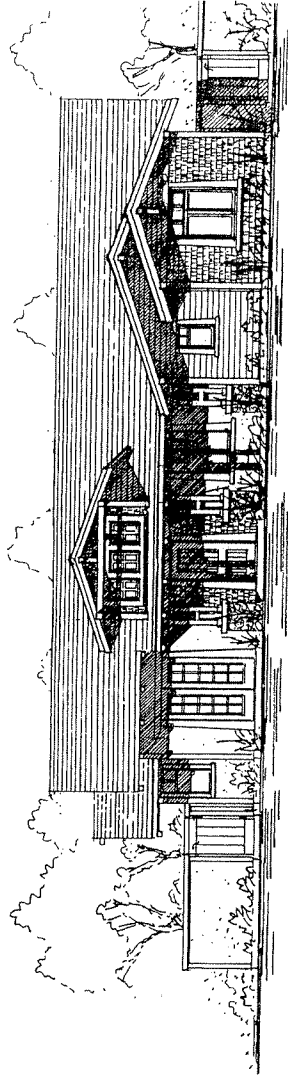
Rear Exterior Elevation



Right Side Exterior Elevation

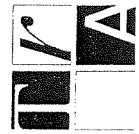


Left Side Exterior Elevation



Front Exterior Elevation

Mission Road  
Plan 1  
Bungalow

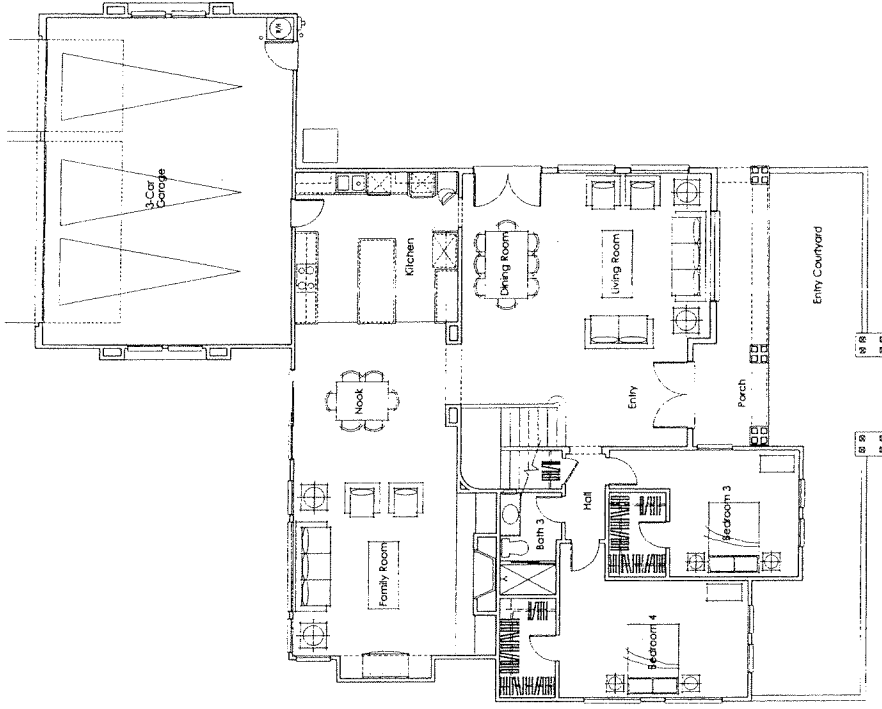


02.02.04

*Mission Creek*

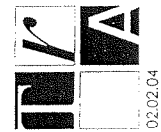
**APH**  
American Pacific Homes, Inc.





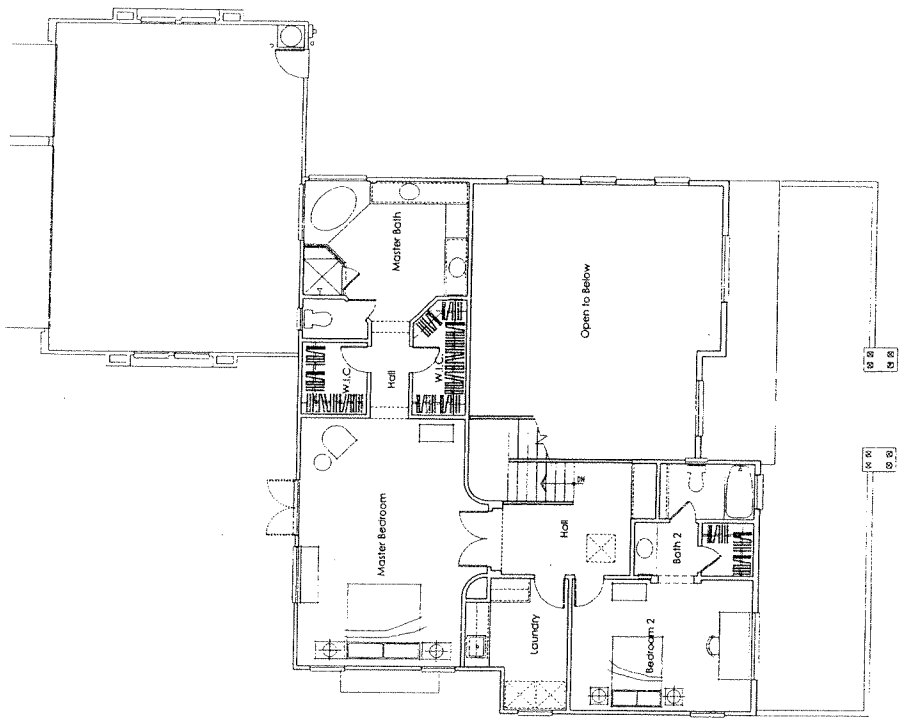
First Floor Plan  
Mission Road  
Plan Two

Two-Story  
4 Bedroom / 3 Bath  
3,060 Sq. Ft. Total



Mission Creek

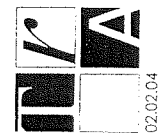
APH  
American Pacific Homes, Inc.



Second Floor Plan

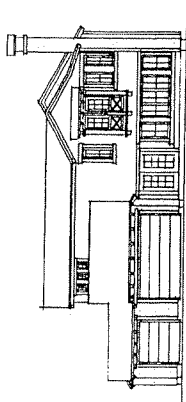
# Mission Road Plan Two

Two-Story  
4 Bedroom/3 Bath  
1,203 Sq. Ft.  
3,060 Sq. Ft. Total

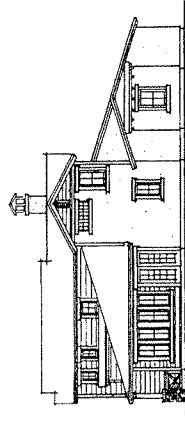


Mission Creek

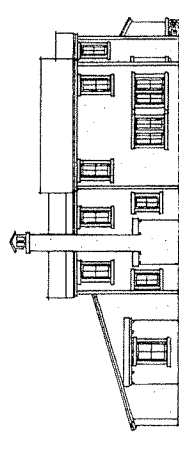
APH  
American Pacific Homes, Inc.



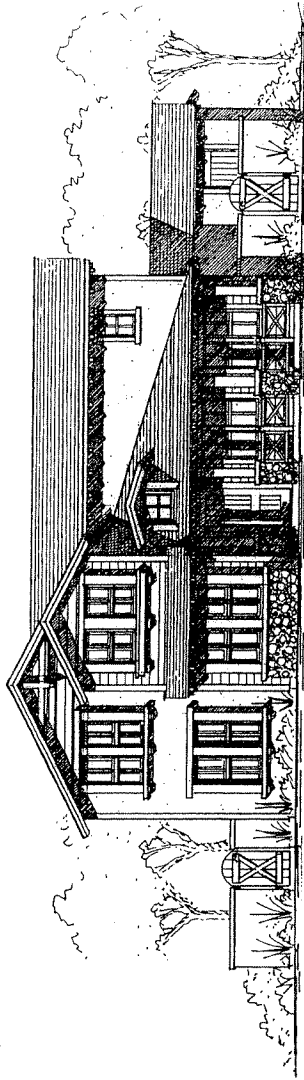
Rear Exterior Elevation



Right Side Exterior Elevation

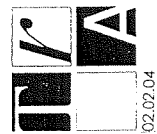


Left Side Exterior Elevation



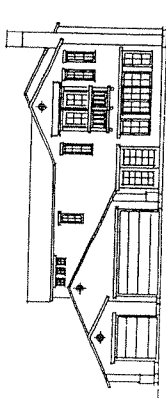
Front Exterior Elevation

Mission Road  
Plan 2  
American Farmhouse

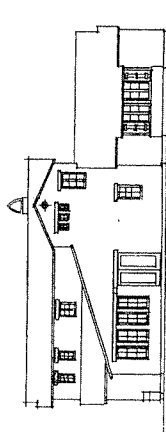


*Mission Creek*

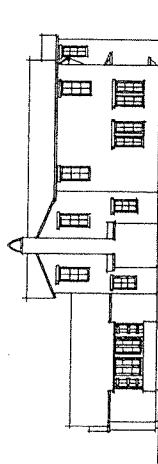




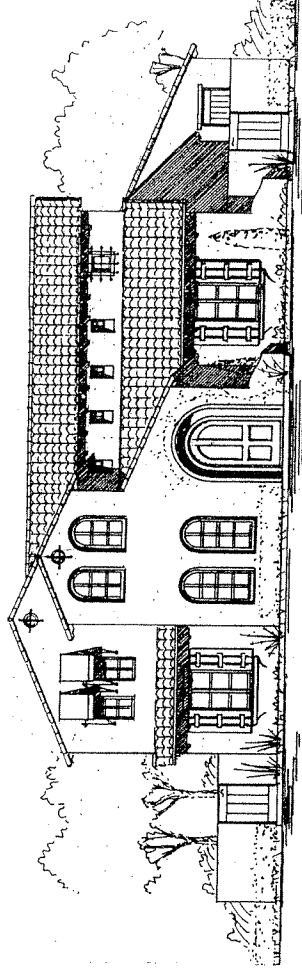
Rear Exterior Elevation



Right Side Exterior Elevation

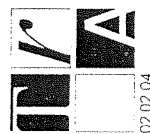


Left Side Exterior Elevation



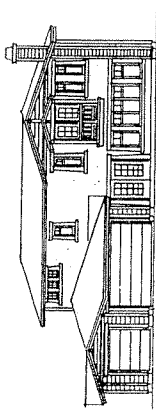
Front Exterior Elevation

Mission Road  
Plan 2  
Spanish Colonial

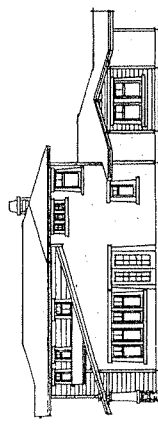


*Mission Creek*

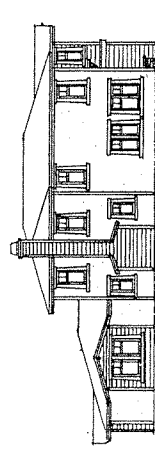
**APH**  
American Pacific Homes, Inc.



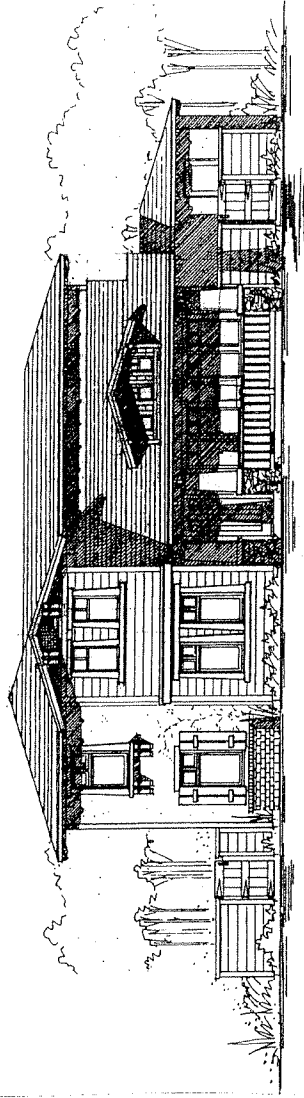
Rear Exterior Elevation



Right Side Exterior Elevation

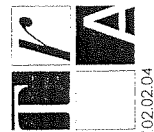


Left Side Exterior Elevation



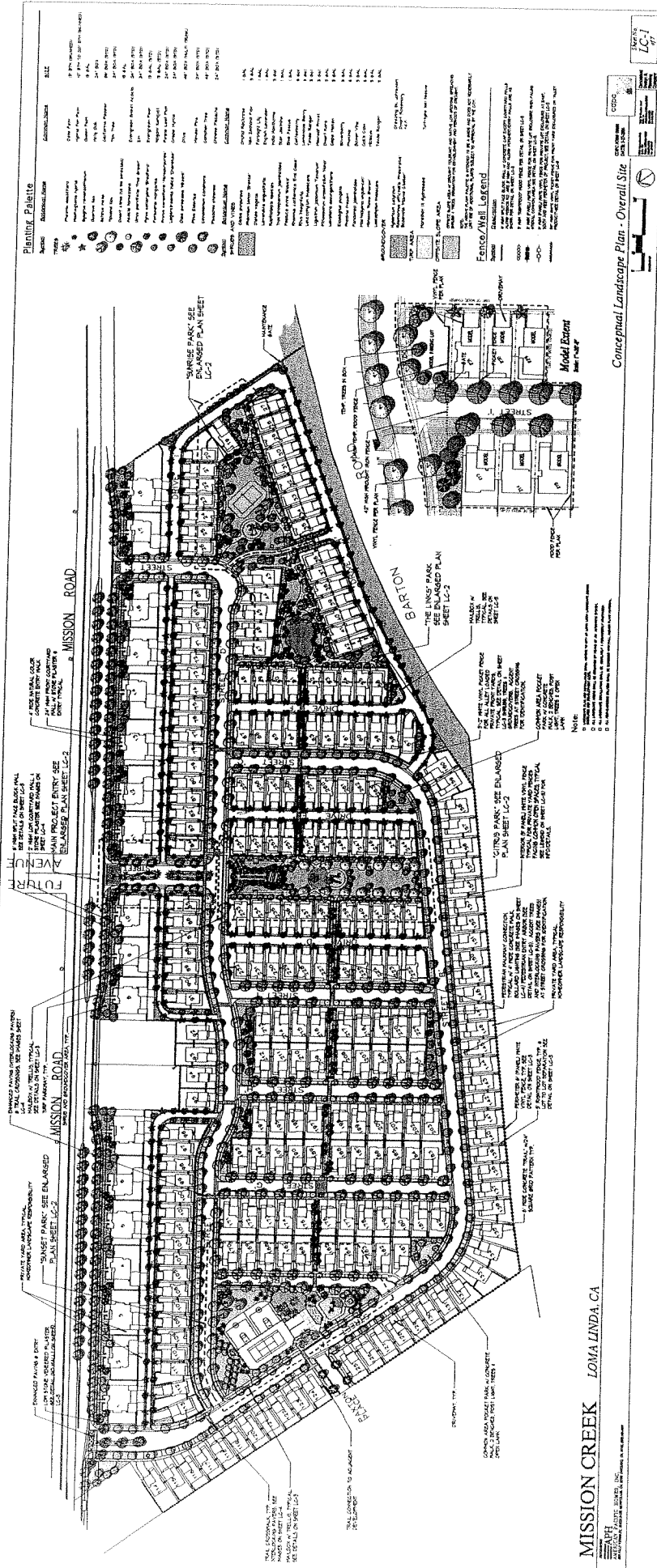
Front Exterior Elevation

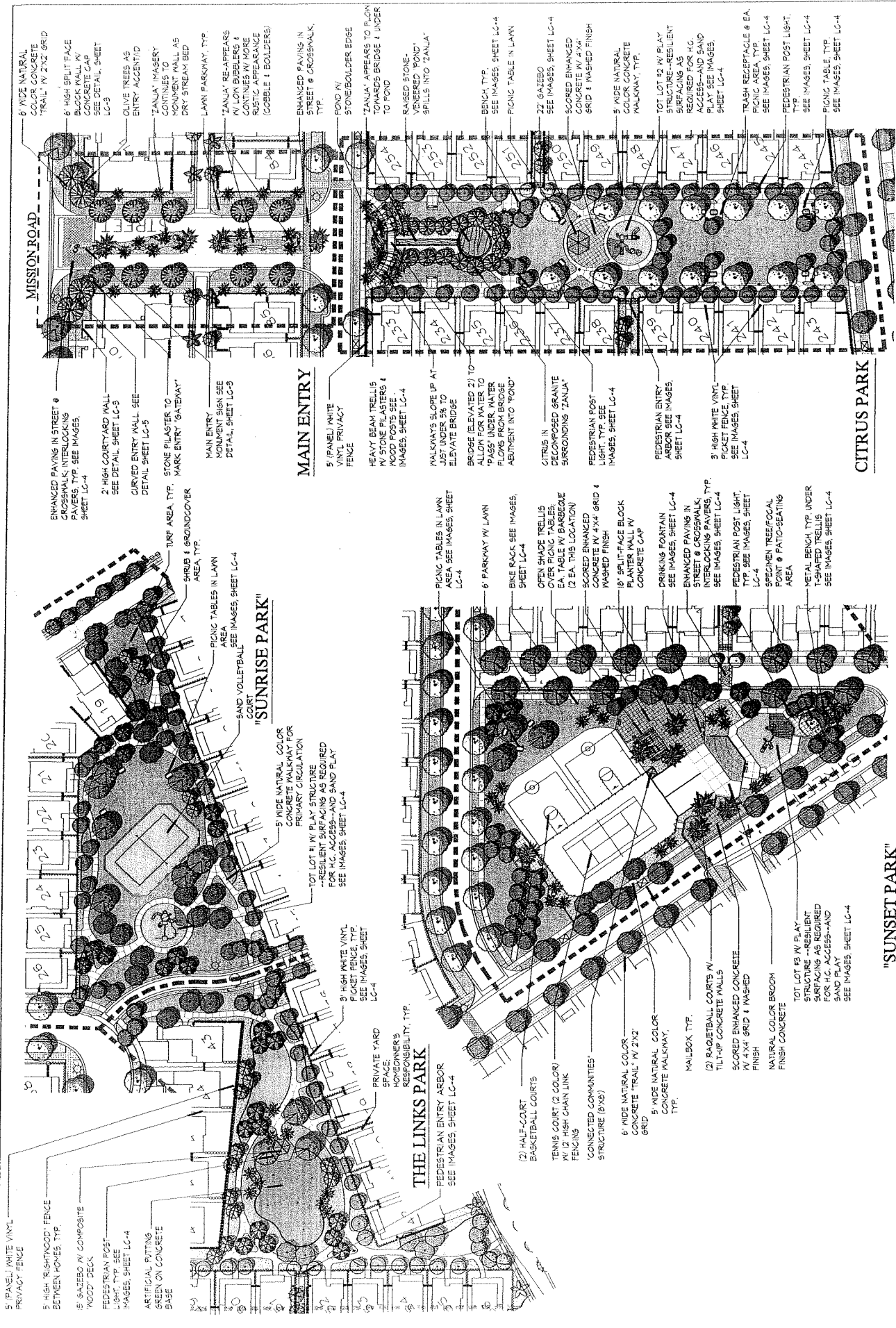
Mission Road  
Plan 2  
Craftsman

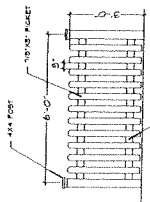


APH  
American Pacific Homes, Inc.

Mission Creek

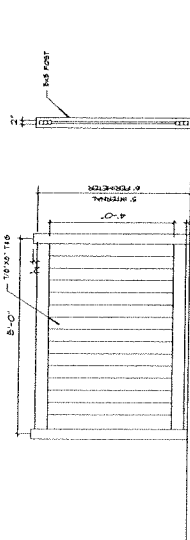






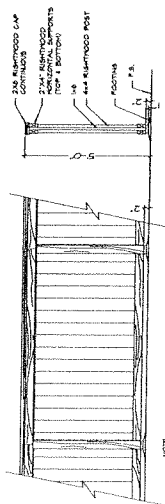
WHITE VINYL PICKET FENCE  
ALLEY PRODUCT FRONT YARDS

SCALE 1/2"=1'-0"



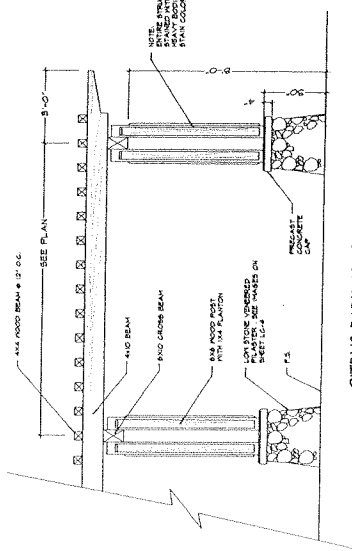
WHITE VINYL FENCE  
PRIVATE YARD ENCLOSURES

SCALE 1/2"=1'-0"



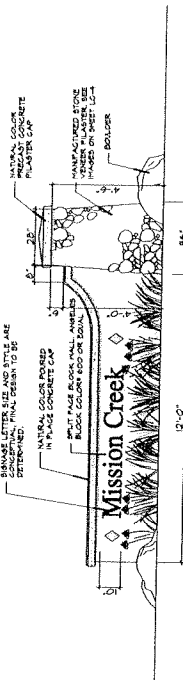
WOOD FENCE  
PRIVATE LOT TO PRIVATE LOT CONDITION

SCALE 1/2"=1'-0"



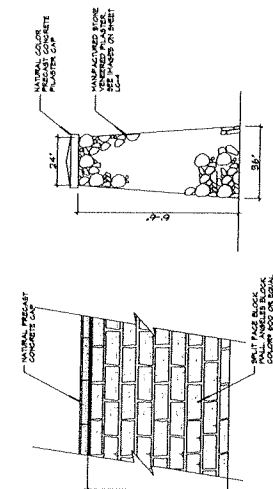
CITRUS PARK ARBOR

SCALE 1/2"=1'-0"



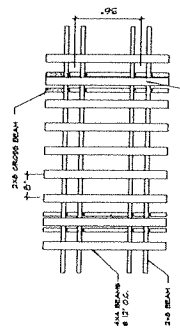
MAIN ENTRY MONUMENT

SCALE 1/2"=1'-0"



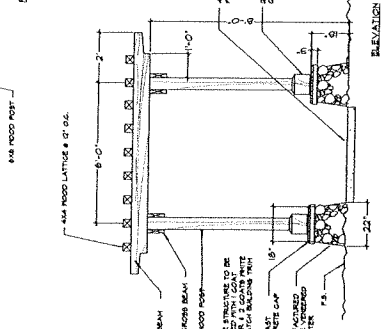
SPLIT FACE WALL

SCALE 1/2"=1'-0"



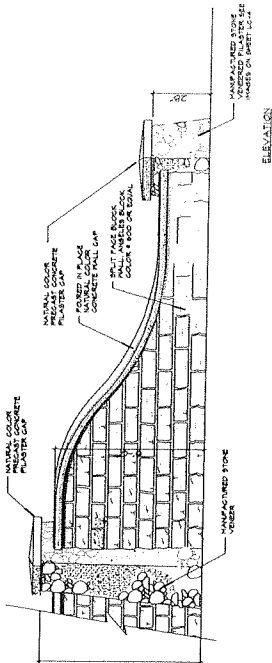
STONE PILLAR

SCALE 1/2"=1'-0"



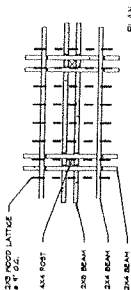
PEDESTRIAN ENTRY ARBOR

SCALE 1/2"=1'-0"



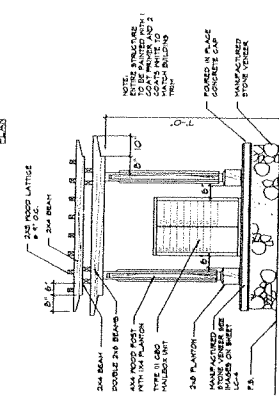
ENTRY WALL

SCALE 1/2"=1'-0"



MAILBOX WITH TRELLIS

SCALE 1/2"=1'-0"



COURTYARD WALL  
COURTYARD WALL - HOMES ALONG MISSION RD.

SCALE 1/2"=1'-0"

MISSION CREEK

LOMA LINDA, CA

DEVELOPER  
APAC  
AMERICAN PACIFIC HOMES, INC.  
409 PALO VERDE DR., SUITE 200, MONTESQUE, CA 95110 (916) 884-9200

Site Details

cdpcc  
CDPC/DBA (03/80)  
DATE: 5-27-2004

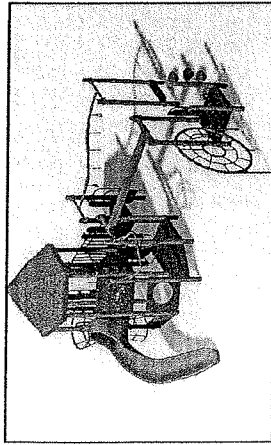
1770 Mission Ave.  
Suite 200  
Folsom, CA 95630  
Tel: (916) 997-0070  
Fax: (916) 997-0070

20111 Center Ave.  
Suite 100  
Folsom, CA 95630  
Tel: (916) 997-0070  
Fax: (916) 997-0070

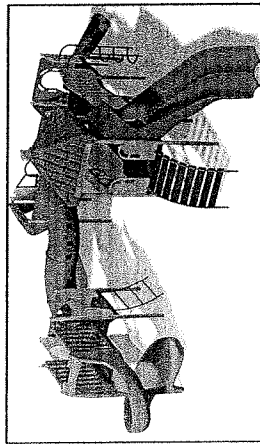
Conceptual  
Design &  
Planning  
Company

Sheet No.  
LC-3  
of 7

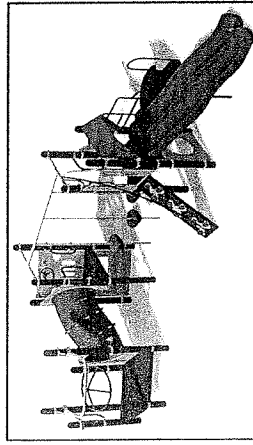




TOT LOT #1 • SUNRISE PARK



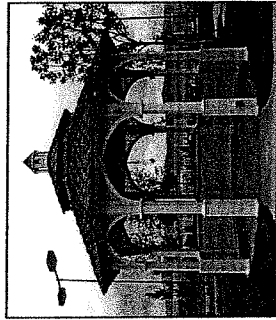
TOT LOT #2 • CITRUS PARK



TOT LOT #3 • SUNSET PARK



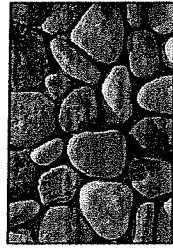
CITRUS PARK  
22' GAZEBO



THE LINKS PARK  
15' GAZEBO



PICNIC TABLE  
LANDSCAPE STRUCTURES RECYCLED POLYETHYLENE  
FRAME COLOR: BLACK



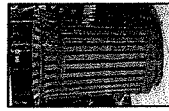
STONE VENEERS  
B. DOMADO STONE  
BLIND: YANMA



INTERLOCKING PAVES  
CMCO BLOCK 82 & 89



BIKE RACK  
DUMOR - MODEL # 84-32  
COLOR: BLACK



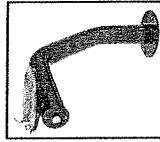
TRASH RECEPTACLE  
DUMOR - MODEL # 84-32  
FRAME COLOR: BLACK



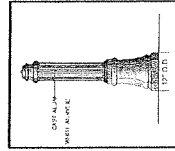
PICNIC TABLE  
CONFIGURATION

USED IN LAWN AREAS

USED IN HARDSCAPE



DRINKING FOUNTAIN  
HAWES - MODEL # 3390



LIGHTED BOLLARD  
COLOR: BLACK



6' BENCH  
DUMOR RE BENCH  
MODEL # 57-601  
FRAME COLOR: BLACK



POST LIGHT  
COLOR: BLACK

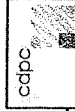
MISSION CREEK

LOMA LINDA, CA

APPH  
AMERICAN PACIFIC HOMES, INC.  
459 PALO VERDE ST., SUITE 110, MONTCLAIR, CA 91763, (951) 998-2020

Project Images

CDPC 1084 03080  
DATE: 5-27-2004

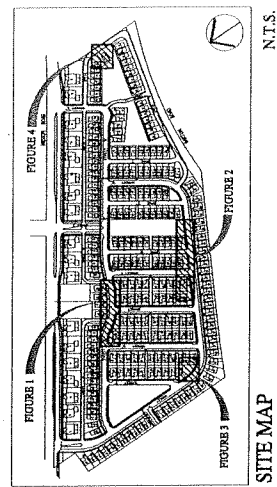
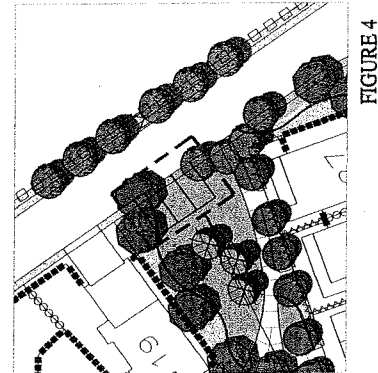
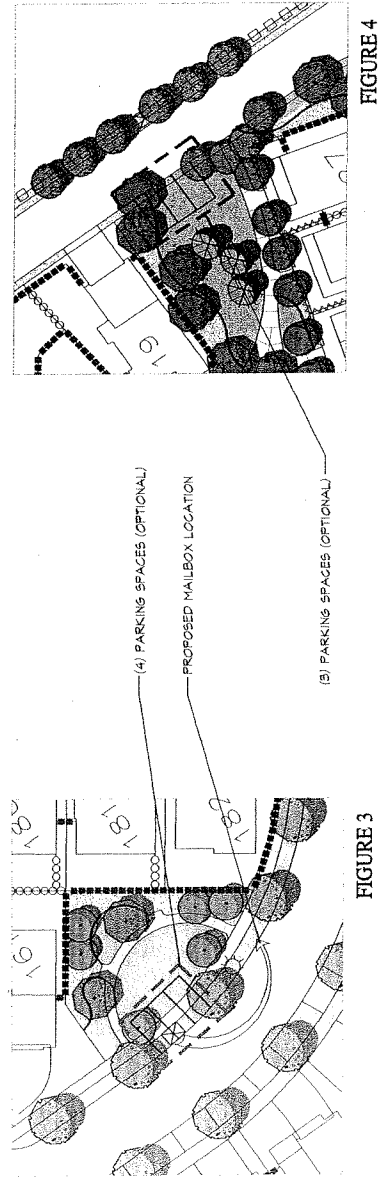
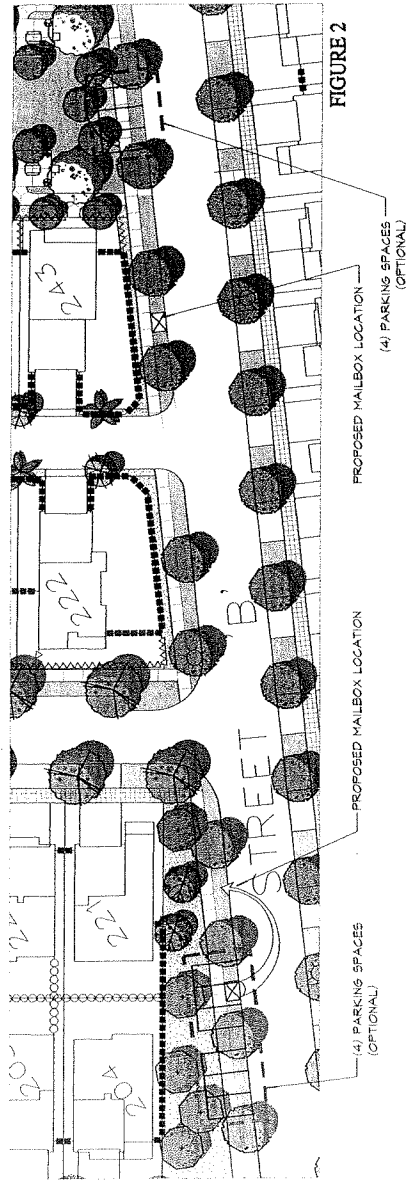
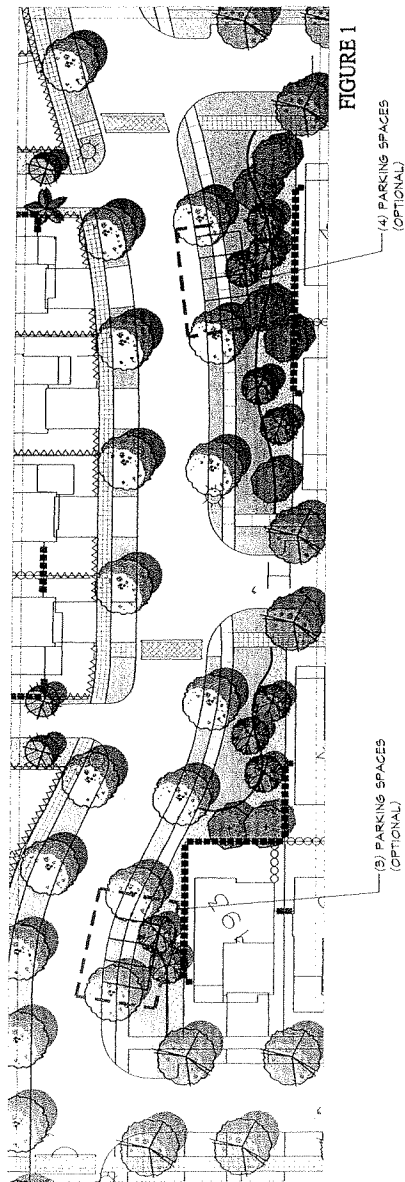


Conceptual  
Design &  
Planning  
Company



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# MISSION CREEK LOMA LINDA, CA

## Optional Parking

cdpc

CDPC JOB# 03080

DATE: 5-27-2004

Conceptual Design & Planning Company

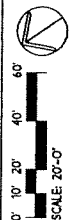
1905 Shawmut Blvd.  
Fremont, CA 94536  
Tel: (925) 436-1000  
Fax: (925) 436-1001

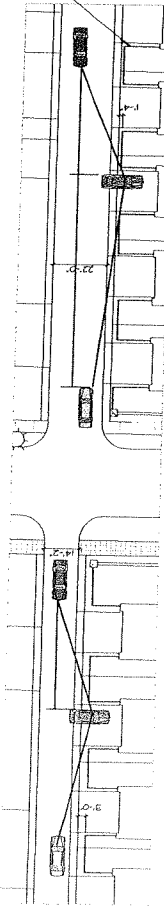
201 E. Center Blvd.  
Fremont, CA 94536  
Tel: (925) 436-1000  
Fax: (925) 436-1001

APR

AMERICAN PACIFIC HOMES, INC.

400 PALO VERDE ST., SUITE B-105, MONTECLAIR, CA 91764 (909) 988-8800





NARROW ALLEY SIGNLINE EXHIBIT

VINYL FENCE -  
SYMBOL NOT USED  
FOR CLARITY

PROPOSED STREET LIGHT LOCATION

(4) PARKING SPACES (OPTIONAL)

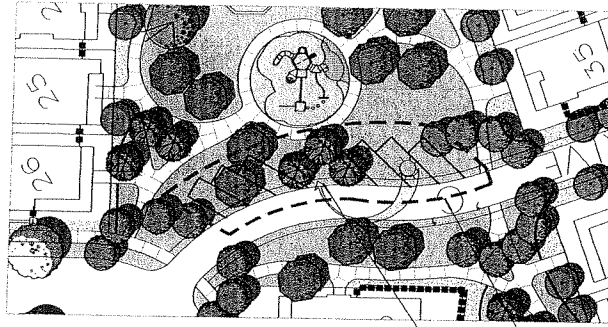


FIGURE 5

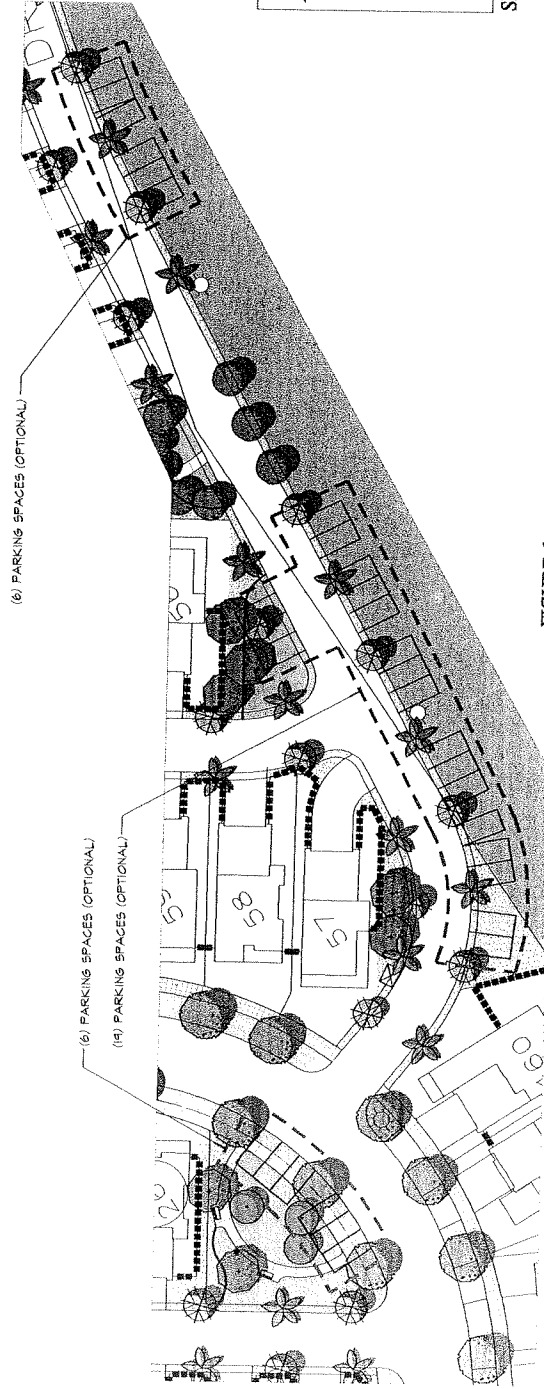
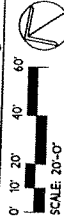


FIGURE 6

# MISSION CREEK LOMA LINDA, CA

DEVELOPER:  
**APH**  
AMERICAN PACIFIC HOMES, INC.  
405 PALO VERDE ST., SUITE 200, MONTECLAIR, CA 91764 (951) 898-2000

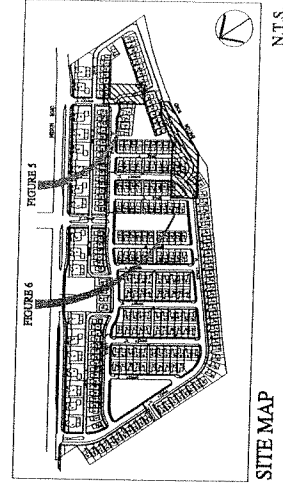
Optional Parking



CDPC JOB# 00080  
DATE: 5-27-2004

CDPC  
CONCEPTUAL  
DESIGN &  
PLANNING  
COMPANY

100% TO CHAIRMAN BOARD  
100% TO CHAIRMAN BOARD  
100% TO CHAIRMAN BOARD  
100% TO CHAIRMAN BOARD



Sheet No.  
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of 7

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOMA LINDA FROM UN-ZONED TO PLANNED COMMUNITY (PC) FOR THAT AREA ON THE SOUTH SIDE OF MISSION ROAD, EAST OF PEPPER WAY AND THE EDISON EASEMENT, WEST OF CALIFORNIA STREET (Zone Change 04-01)

**Section 1. Adoption of Ordinance:** The City Council of the City of Loma Linda, California, does hereby ordain as follows:

**Section 2. Statement of Intent:** It is the purpose of the Ordinance to amend various zoning designations in this City and adopt a revised Zoning Map.

**Section 3. Amendment of Zoning Designation:** The zoning of the City of Loma Linda is hereby amended to change the following described property within the City of Loma Linda from Un-zoned to Planned Community (PC) zoning per Exhibit "A" attached hereto and made a part hereof:

That property generally described as approximately 37.59 acres lying on the south side of Mission Road, east of Pepper Way and the Southern California Edison Easement, Avenue and west of California Street.

**Section 4. Validity.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

**Section 5. Posting.** Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such purpose by the City Council.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the \_\_\_\_\_ day of July 2004, and was adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2004 by the following vote to wit:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Karen Gaio Hansberger, Mayor

Attest:

\_\_\_\_\_  
Pamela Byrnes-O'Camb, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LOMA LINDA, AMENDING THE LAND USE ELEMENT OF  
THE ADOPTED GENERAL PLAN (GPA NO. 04-01)

WHEREAS, the City of Loma Linda has adopted a Land Use Element of the General Plan in accordance with State Planning and Zoning law; and

WHEREAS, the Applicant has requested a General Plan Amendment from Mobile Home Subdivision to a Mixed Use designation on the south side of Mission Road, east of Pepper Way and the Edison Easement and west of California Street for approximately 37.59 acres; and

WHEREAS, the General Plan Amendment request is accompanied by a Tentative Tract request to subdivide 37.59 acres into 263 single-family lots and 8 lettered lots for parks and open space; and

WHEREAS, the City Council finds that the General Plan Amendment would be consistent with general goals and objectives of the Land Use Element Policies and other elements of the General Plan, and would allow appropriate land uses for the subject site based on its location, topography and surrounding land uses and its compatibility with other portions of the Land Use Element in the vicinity; and

WHEREAS, the public hearings have been held as provided by law, and other formalities required by law for amending the General Plan have been met; and

WHEREAS, said amendment was reviewed by the Planning Commission at a duly noticed public hearing and approved with findings that said map amendment was compatible with adjacent land use designations in the General Plan; and

WHEREAS, the City Council has reviewed and adopted a Mitigated Negative Declaration of Impact based on a determination that potential impacts can be mitigated to a level of insignificance pursuant to conditions of approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Loma Linda that the adopted land Use Element of the General Plan has hereinbefore been amended per Exhibit "A" attached hereto and made a part hereof, in the following manner:

That area generally described as approximately 37.59 acres located on the south side of Mission Road, east of Pepper Way and the Southern California Edison Easement and west of California Street  
AMENDING THE GENERAL PLAN FROM MOBILE HOME  
SUBDIVISION TO MIXED USE.

BE IT FURTHER RESOLVED that those exhibits comprising the General Plan shall be amended to show the change in land use as above mentioned, and that the City Clerk shall maintain three copies of the amended General Plan available for loan to the public.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2004 by the following vote:

Ayes:  
Noes:  
Abstain:  
Absent:

---

Karen Gaio Hansberger, Mayor

ATTEST:

---

Pamela Byrnes-O'Camb, City Clerk